U.S. DEPARTMENT OF EDUCATION

NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY

(NACIQI)

WEDNESDAY, FEBRUARY 19, 2025

The Advisory Committee met at 9:00 a.m.

NACIQI Members in Attendance:

Claude O. Pressnell, Jr. NACIQI Chairperson

Kathleen Alioto

Roslyn Artis

Jennifer Blum

Wallace Boston

Debbie Cochrane

Jose Luis Cruz Rivera

Keith Curry

David Eubanks

Arthur Keiser

Molly Hall - Martin

Robert Mayes

Michael Poliakoff

Claude Pressnell, Jr.

Gary Ransdell

Robert Shireman

Zakiya Smith Ellis

(CONTINUED):

Additional Department of Education Staff:

George Alan Smith, NACIQI Executive Director

Monica Freeman

Donna Mangold

Scott Prince

Victor Shirley

Angela Sierra

Christle Sheppard Southall

COMPLIANCE REPORT:

AMERICAN OCCUPATIONAL THERAPY ASSOCIATION, ACCREDITATION COUNCIL FOR OCCUPATIONAL

THERAPY EDUCATION (ACOTE)

NACIQI PRIMARY READERS:

ROBERT MAYES

ROBERT SHIREMAN

DEPARTMENT STAFF:

LACO CORDER

AGENCY REPRESENTATIVES:

TERESA BRININGER, PHD, MBA, OT, DIRECTOR, ACCREDITATION COUNCIL FOR OCCUPATIONAL

THERAPY EDUCATION/AMERICAN OCCUPATIONAL THERAPY ASSOCIATION

LYNN KILBURG, DHSC, MBA, OTR/L, ASSOCIATE DEAN, OCCUPATIONAL THERAPY UNIVERSITY OF ST.

AUGUSTINE FOR HEALTH SCIENCES

THIRD PARTY COMMENTERS: NONE

(CONTINUED):

COMPLIANCE REPORT:

MIDDLE STATES COMMISSION ON SECODARY SCHOOLS (MSCSS)

NACIQI PRIMARY MEMBERS:

JENNIFER BLUM

ROSLYN ARTIS

DEPARTMENT STAFF:

ELIZABETH DAGGETT

AGENCY REPRESENTATITIVES:

CHRISTIAN TALBOT, PRESIDENT AND CEO

DAN RUFO SR., ASSOCIATE VICE PRESIDENT FOR ACCREDITATION

THIRD-PARTY COMMENTERS:

EDWARD CONROY, ED.D., NEW AMERICA

COMPLIANCE REPORT:

SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS, COMMISSION ON COLLEGES (SACS)

NACIQI PRIMARY READERS:

WALLACE BOSTON

DEBBIE COCHRANE

(CONTINUED):

DEPARTMENT STAFF:

NICOLE S. HARRIS

AGENCY REPRESENTATIVES:

DR. BELLE S. WHEELAN, PRESIDENT, SACSCOC

MR. BLAINE HANSEN, CHAIR, SACSCOC BOARD OF TRUSTEES AND EXECUTIVE

VICE PRESIDENT FOR STRATEGIC OPERATIONS AND PUBLIC RELATIONS AT LEES-MCRAE

COLLEGE

DR. RAE BORDEN, DIRECTOR OF LEGAL AND GOVERNMENTAL AFFAIRS AND COMMISSION SUPPORT

DR. KEVIN SIGHTLER, DIRECTOR OF SUBSTANTIVE CHANGE

THIRD-PARTY COMMENTER:

DAVID HALPERIN, ATTORNEY

Contents

9:00 a.m.

P R O C E E D I N G S

Welcome and Introductions

G. SMITH: Good morning, and welcome everyone. This is the Winter 2025 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, or HEA, and is also governed by provisions of the Federal Advisory Committee Act as amended, or FACA, which sets forth standards for the formation and use of advisory committees.

Sections 101(c) and 487(c)-4 of the HEA and Section 8016 of the Public Health Service Act, 42 U.S.C. 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 determines to be reliable authorities as to the quality of education provided by the institutions and programs they accredit.

Eligibility of the educational institutions and programs for participating in various federal programs requires accreditation by an agency listed by the Secretary. As provided in HEA Section 114, NACIQI advises the Secretary in the discharge of these functions, and is also authorized to provide advice regarding the process of eligibility and certification of institutions of higher education for participation in the federal student aid programs, authorized under Title IV of the HEA.

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

Thank you for joining us today for this virtual meeting. I'll now turn the meeting over NACIQI Chairperson, Claude Pressnell.

C. PRESSNELL: Good morning everyone, and thank you for taking the time to be a part of this meeting. We especially want to thank the agencies ahead of presenting over the next couple days, and also a special thanks to the members.

Before we get into introductions, I want to make

one introduction of a new member, Dr. Gary Ransdell. Gary has been appointed by the United States Senate. We appreciate him being with us. He has been the President of the Institute for Shipboard Education. He also served at the ninth president of Western Kentucky University.

He has background in Clemson, at Southern Methodist University, and while he was at Western Kentucky, enrollment swelled from 14,500 to 21,000 in the number of degrees that were confirmed went from 2,500 to 4,200, so really good demonstration of student success under his leadership there.

So Gary, welcome, and we will start introductions actually with you, so we'll start with those members who are online, and that was just a brief introduction, Gary, but if you have anything more you'd like to say feel free to do so.

G. RANSDELL: Thank you, Mr. Chairman, I appreciate it. I look forward to serving. Mainly, I look forward to learning a lot over the next two days. I want to compliment George and Monica, and the other Monica for their training over the last several days, so I think I'm ready to go, and I think I've got everything called up here.

And I apologize for not being there in person, but I just got word of this about ten days ago, and finished my training

yesterday, so if you'll bear with me, I'm going to listen and observe, and learn all I can today and tomorrow, and be ready to go at our next meeting.

C. PRESSNELL: Sounds great. Well, thank you very much for being with us, and congratulations on your employment.

G. RANSDELL: Thank you.

C. PRESSNELL: So those on the screen, David Eubanks, introduce yourself.

D. EUBANKS: Good morning everyone. It's an honor to be here. I'm David Eubanks. I work at Furman University, where I'm in charge of institutional research.

C. PRESSNELL: Zakiya, Vice Chair?

Z. ELLIS: Hi everyone. I'm Zakiya Smith Ellis, Principal with Education Counsel, Vice Chair of NACIQI, and a new mom of two. I was a mom of one, and she is napping in the other room, which is why I've been relegated out of the office, so excuse the poor lighting, but I am fully ready to be engaged here, and look forward to this meeting.

C. PRESSNELL: Well, congratulations. Art?

A KEISER: I'm Art Keiser, Chancellor, Keiser University. Yesterday I was taken down by the flu, barely able to

make it through today. Hopefully I'll be able to do my report tomorrow.

C. PRESSNELL: Sorry, Art. Thanks so much for taking the time to join us. So, let's go to another sickie. Let's go to Wally?

W. BOSTON: I'm not sure I appreciate the discussion there, but Wally Boston, President Emeritus of American Public University System, recovering in Austin, Texas where I see snowflakes out of my window right now. Not usual.

C. PRESSNELL: Not usual for sure. Well, thank you again as well for joining us. Roslyn?

R. ARTIS: Good morning colleagues. I'm Roslyn Artis, President of Benedict College in Columbia, South Carolina. I am healthy and whole, unless you count mental instability as a deficiency, so I have zero excuse, other than not wishing to be stuck in the D.C., so good to see all of you this morning, and looking forward to participation.

C. PRESSNELL: And one advantage of being in a windowless room is that you don't know what is happening outside for sure, so, very great. Well, let's go within room, and Debbie, Deborah we'll start with you.

D. COCHRANE: Hi, thank you so much. Debbie

Cochrane with California's Bureau for Private Postsecondary Education.

K. CURRY: Keith Curry, President CEO of Compton College.

M. HALL-MARTIN: (Speaks in Native Language.) My name is Molly Hall-Martin. I serve as the Western Regional Director for State Authorization Reciprocity Agreements at the Western Interstate Commission for Higher Education.

C. PRESSNELL: Great. Jenn?

J. BLUM: Jennifer Blum, with Blum Higher Education Advising. Nice to be here in person.

R. MAYES: Robert Mayes with Columbia Southern Education Group.

K. ALIOTO: Kathleen Sullivan Alioto, Advocate for Community Colleges and Early Childhood Education, birth to three.

B. SHIREMAN: I'm Bob Shireman. I'm a Senior Fellow at the Century Foundation. I want to thank the Department of hosting us today. I do want to add that the availability of many different accrediting agencies has played a critically important bullwork role against federal intrusion.

I am concerned that President Trump has pledged to

weaponize the accreditor recognition process, and weapon was a word he used, not my word, and he has pointed to Hungary and the autocrat Viktor Orban as a model. I hope Mr. Bergeron can tell us this morning what the Department's plans are.

C. PRESSNELL: Michael?

M. POLIAKOFF: Michael Poliakoff, President, the American Council of Trustees and Alumni, and I hope this is time of opportunity for very productive change and the strengthening of American Higher Education, more efficiency and better productivity.

C. PRESSNELL: Very good. Thank you, Members, for your introductions, and again, I'm Claude Pressnell. I'm President Emeritus of the Tennessee Independent Colleges and Universities, so I hit full-time retirement on 12/31. I'm a happy camper, so it's really good.

Before we get into staff recommendations, or introductions, let me congratulate Beth Daggett. She now is the Director of the Accreditation Group. Well deserved, and I think the Committee members were probably as excited as I am at your new appointment, so exceptionally qualified for the role for sure.

She has been with the Department, and with the Agency, the Accreditation Group for 15 years, and with the

Department 17 years, and so she's got a master's in education from the University of South Carolina, and a bachelor's degree from the University of Miami. Congratulations. I really appreciate you being here. Oh, I'll have you introduce your team here in a moment.

E. DAGGETT: Okay.

C. PRESSNELL: So, George, do you want to go ahead and introduce your team and legal as well.

G. SMITH: Sure. Well, I'll let them introduce themselves individually. Monica?

M. FREEMAN: Good morning. I'm Monica Freeman, Management and Program Analyst with the Office of Postsecondary Education.

G. SMITH: Thank you. Angela?

A. SIERRA: Hi. Good morning. I'm Angela Sierra. I'm from the Office of the General Counsel at the Department of Education. And also from OGC, participating virtually is Christle Sheppard Southall. Thanks.

G. SMITH: We also have our DAS for PPI, Policy Planning and Innovation with us.

V. SHIRLEY: Yes. Victor Shirley, DAS for PPI in the Office of Postsecondary Education.

C. PRESSNELL: Very good, thank you. All right, Beth?

E. DAGGETT: Thank you. Well, good morning everybody. I know that I am not going to be able to fill Herman's shoes mainly because we wear different shoes and different sizes, but I will endeavor to provide the same, you know, guidance and expertise that he has provided over the years, and at this point I'll go ahead and have the staff who are in the room introduce themselves, thank you.

N. HARRIS: Yes, good morning. Can you hear me? Okay, great. Good morning, Dr. Nicole S. Harris, Analyst with the Accreditation Group.

S. MCKISSIC: Good morning. I'm Stephanie McKissic, I'm also an Analyst with the Accreditation Group.

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

M. STEIN: Good morning. Mike Stein, I'm an Analyst with the Accreditation Group.

C. PRESSNELL: All right.

E. DAGGETT: I'm sorry. It looks like we have Charity on.

C. PRESSNELL: Oh, we do. Thank you.

E. DAGGETT: And then I'm not sure if there's any of the other staff on.

C. HELTON: Good morning, I'm Charity Helton, and I'm an Analyst with the Accreditation Group.

P. FLOREK: Good morning. My name is Paul Florek. I'm an Analyst with the Accreditation Group.

M. YASSA: Good morning everyone. My name is Monica Yassa, and I'm the ASL Records Manager with the Accreditation Group.

INTRODUCTION OF JAMES BERGERON

C. PRESSNELL: All right. Well, thank you to everybody, and thank you to the staff for all the work that you've done to prepare for this meeting. We really do appreciate it. At this point, it is my privilege to introduce James Bergeron, who currently serves as the Deputy Undersecretary of Education, and as Acting Undersecretary, and Acting Assistant Secretary of the United States Department of Education.

So, that's what happens when you're first in. When you're first in you have multiple titles. Prior to coming to the Department, James served as the President and CEO of the National Council of Higher Education Resources Branch, which represents state and nonprofit and private higher education finance organizations that provide a holistic approach to student success, from administering 529 savings plans, to operating state funded grant, loan and scholarship programs, with a focus on college access and student success among first generation and low-income students.

Prior to this he worked on the Committee, was Director of the Education and Human Services Policy with the House Committee on Education and Workforce. Through that, he had experience with the Reauthorization of the Higher Education

Act, which I'm not sure anybody knows what that looks like anymore, so we'll see if that can happen sometime soon.

But also, reauthorization of the Perkins Career and Technical Education Act, Elementary and Secondary Education Act, No Child Left Behind, and so forth, so he's got a wealth of experience in both K-12 policy and also higher education policy.

Before joining the Committee in 2006, James served as the Legislative Director for California Representative Buck McKeon. He has received a bachelor's degree in Poly Sci from the University of Louisiana and Lafayette, so welcome to the Committee, and we look forward to your comments.

J. BERGERON: Yeah, thank you guys. Thank you for that kind introduction, Chairman Pressnell, and thank you to the Committee members for allowing me to say a few words at the beginning of today's meeting. I really liked Gary's thoughts, so I kind of listen and learn, and I think that that's a good way to kind of just draw myself.

As kind of what Claude said, I'm wearing three hats, and you know, I can't wait until the White House, as well as the Department of Education continues to staff up, you know, as well, so I can hand off those hats appropriately to other folks as well.

I know that over the next day and a half, the

Committee will review four accreditation agencies, and a lot of work has gone into prepping for the meeting, including the development of detailed reports that will guide the discussions. I want you to know that the Office of the Secretary and I appreciate the work that everyone is doing in this room and online.

At the same time I want to give special recognition to George Smith, Beth Daggett, and the team at the Accreditation Group within the Office of Postsecondary Education. As you guys know, and as the Chairman just said, this is Beth's first time at the table, and I just want to commend Beth for the work that she's done, and the meetings that she's had with me, and the new team over the last week or so.

She would get tired of our faces, and we have had numerous meetings, and she's done yeoman's work in kind of getting me prepped for this meeting, but as well as just talking to us about the Accreditation Group at the Department, and the important work that they do, so I appreciate. Thank you, Beth, for all of your work. I really appreciate that.

Accreditation is a key part of the federal government's triad of institutional quality. The current gatekeeper of most secondary education that determines whether institutions are able to participate in the federal student aid programs. And

because of the work in CP, and the nation's accreditors, students from across the country can access postsecondary educational opportunities that will prepare them for a career, be that at a community college, or trade, or career school, or a public or private institution of higher education.

Later this month we're hoping to welcome Secretary Designate Linda McMahon to the Department of Education, and while I won't attempt to speak for the Secretary here today, I know that she has an interest in accreditation. Just as a good accreditor works to support continuous improvement at the institutions it oversees, so should we aspire to continually improve and refine our accreditation system.

We can do this best I think by encouraging new entrants into the accreditation process, or one of the ways that we can do it is by encouraging new entrants into the accreditation process, to improve accountability, and ensure that our postsecondary education system keeps pace with the changing needs to the labor market, and continues to contribute to the broader national interest in a myriad of other ways.

Secretary Designate McMahon isn't alone in this thought, right? Congress, states, and industry leaders have also taken a renewed interest in the accreditation process. We know

that, because they understand its relationship to the delivering value to students and taxpayers, and to driving innovation in postsecondary education.

Interest in encouraging accreditors to assess academic quality tied to student outcomes is driven by a common desire to see the system better serve students, and I look forward to engaging Committee members and the public on these important topics throughout this administration.

Once again, thank you, you guys, for your hard work, and thank you for allowing me to address the Committee. I hope that you have a productive and engaging meeting, and as I told George as well, I am going to be in and out over the next two days. This will be my first, you know, obviously Committee hearing as actually Undersecretary, and I want to meet everyone.

I've met a lot of you guys already, but I'm looking forward to meeting everyone, and I'm looking forward to, you know, hearing your thoughts as well on ways to improve the accreditation process, and some of the work that you're doing on that.

So, I'll be in and out. Feel free to just grab me, and if it doesn't work at this time, I'm more than happy to talk to the Committee members as well, so thank you guys.

C. PRESSNELL: All right, thank you very much.

J. BERGERON: Sure.

C. PRESSNELL: All right. Before we get started today with the reviews, we've got some -- a little bit of housecleaning details. You all are well versed on the mic. Make sure that you turn it on prior to speaking. Make sure you turn it off immediately after you speak, so there's a button there. There's this red ring so you can tell that your mic is either on or off.

Also, for those of you online, please use the hands up signal if you want to make a comment, and I'll make sure to get to you. For those of you in person, we have this new handy dandy tool called comments, so instead of flipping up your name tag, you can now flip up the comment.

I tell you the advances are just incredible, you know, for sure. Yeah, so one last thing. I do want to mention to the Committee members in the materials that were before you, and I assume the materials that those who are remote either have received, or you will receive, there was an email exchange that is going to be a part of the third-party comments tomorrow because it doesn't deal with an agency that we're going to be reviewing in the next two days.

So, therefore, we put it in policy discussion, and so

if you would overnight, or at your leisure, go ahead and kind of review that, but we want to put that into the record for tomorrow's discussion during the policy session. So, we've got four agencies overall that we will be reviewing for compliance.

We'll do three today. We'll do one tomorrow, in addition to the policy discussion, so that should take us up probably until about noon tomorrow Eastern Time, and so we hope to be completed by that -- by that point in time. All right. Any questions about that before I get into the standard review procedures? All right, great, great.

STANDARD REVIEW PROCEDURES OVERVIEW

C. PRESSNELL: So, just to -- as a reminder to those who are online, and also to the Committee members, the standard review procedures are that first, the Primary Readers, Committee members will introduce the Agency application. The Department staff who worked on that submission will provide a briefing, then Agency representatives will be invited to come and make comments.

And we would hope that the Agencies would make comments directly related to the findings of the report. Then questions by NACIQI, followed by a response from the Agency. Then, if there are third-party comments that will be allowed following the Q and A there with the members.

Then the Agency has the right to respond to the third-party comments, then we'll invite the Department staff back to respond to the Agency comments and the third-party comments, and then we'll have a discussion and a vote. Yeah, Bob?

R. SHIREMAN: Will any of the Agencies be here in person, or are they all remote?

C. PRESSNELL: I believe they're all virtual. Yeah, they're all virtual.

R. SHIREMAN: Thank you.

C. PRESSNELL: So, but there was some discussion. We could talk about it during the policy discussion as well about what the future might look like in terms of meetings, and how to ensure the most robust dialogue with the Agencies as well, okay? All right.

COMPLIANCE REPORT:

AMERICAN OCCUPATIONAL THERAPY ASSOCIATION, ACCREDITATION COUNCIL FOR OCCUPATION (ACOTE)

C. PRESSNELL: So, the first Agency is the American Occupational Therapy Association, Accreditation Council for Occupational Therapy and Education. Do we have any recusals for this one? All right. All right, very good.

A. KEISER: Claude, I have to recuse myself.

C. PRESSNELL: Okay. So, Art Keiser. Any others that need to recuse? All right.

A. KEISER: Will somebody call me? Will somebody call me?

C. PRESSNELL: Yeah.

A. KEISER: When this is over?

C. PRESSNELL: Yeah. Art, thanks for doing that. Actually, all you need to do is to turn off your video if you're recused, so you can listen in, but you can provide no comments, but we appreciate it. So, Art, if you're -- are you going to be in ear shot of the Committee discussion? If not, we can -- all right, we'll either --

A. KEISER: Yeah, I don't have a problem doing that. I would have thought I had to turn off something.

C. PRESSNELL: No. You can hear it, you just can't participate, nor be visible. All right, thank you. Thank you very much. So, the NACIQI Primary Readers are Robert Mayes and Bob Shireman, and Robert, are you going to take it? All right, good.

R. MAYES: An introduction, The American Occupational Therapy Association is a professional association of more than 42,000 occupational therapists, occupational therapy assistants, and students of occupational therapy. The Accreditation Council for Occupational Therapy accredits education, excuse me, of the American Council of Therapy Association is a programmatic accrediting agency.

The Accreditation Council's membership is voluntary, and its principal purpose is to accredit higher education programs. The Council currently accredits almost 400 programs, located in institutions of higher education throughout the United States, District of Columbia, Puerto Rico and Guam.

The Agency has been periodically reviewed, and recognition has been granted after each review. They were last reviewed for recognition at the summer 2022 meeting at NACIQI.

Both Department of Staff and NACIQI recommended to the Senior Department Official to approve the Agency's request for an expansion of the scope of recognition, and renewal of recognition subject to the submission of a compliance report due in 12 months.

The Senior Department Official concurred with the recommendations, and the required compliance report is the subject of this analysis.

C. PRESSNELL: All right. Thank you very much, Robert. L.G.?

L. CORDER: Good morning, Chairman, and members of the Committee. My name is L.G. Corder, and I am providing a summary of the compliance report for the American Occupational Therapy Association, Accreditation Council for Occupational Therapy Education, or ACOTE.

The Agency serves as a programmatic accrediting agency. Its current scope of recognition states, "The accreditation, and pre-accreditation of occupational therapy educational programs offering the professional master's degree, and occupational therapy doctorate, or OTD degree, the accreditation of occupational therapy assistant programs, offering a baccalaureate degree and associate degree, and the accreditation of these programs offered by distance education.

The geographic area of accrediting activities is the United States. The Agency last appeared before NACIQI for a renewal petition in the summer of 2022, at which time a compliance report was required related to compliance with 34 CFR 602.17(a)3. This criterion requires agencies to evaluate whether programs maintain requirements that conform to commonly accepted academic standards.

At that time the Agency was found to be out of compliance with this requirement due to a lack of policies and procedures related to evaluation of program lengths at different degree levels. The Agency made efforts to comply with the Department staff findings in 2022, but some of the new policies and procedures were not finalized at that time.

The Agency has since implemented its revised policies and procedures, including requiring at least 31 programs to make adjustments, to demonstrate they now meet the requirements. ACOTE now meets the requirements of this criterion. The staff recommendation to the Senior Department Official or SDO, is to accept the report, and renew the Agency's recognition for two years and five months.

This equates to the remainder of the recognition period that was granted by the SBO in 2022. We did not receive

any complaints, nor third-party comments, for the Agency during the compliance report period, and representatives of the Agency are here today to take any questions. Thank you.

C. PRESSNELL: You bet. Thank you, L.G. Any technical questions for L.G. before we -- all right, seeing none. So, let me introduce Teresa Bringer and Lynn Kilburg, and Teresa are you going to take this, or?

T. BRINGER: No, Dr. Kilburg is going to take it.

C. PRESSNELL: Okay. Very good, thank you.

L. KILBURG: Hello, good morning, and greetings. Thank you for the opportunity to speak on behalf of the Accreditation Council for Occupational Therapy Education, otherwise known as ACOTE. My name is Dr. Lynn Kilburg, and I currently serve as the Chair of ACOTE, and the Associate Dean of the occupational therapy programs at the University of St. Augustine for Health Sciences.

I'd also like to take this opportunity to introduce Dr. Teresa Brininger, the Director of Accreditation. We're very grateful for the valuable assistance and thorough review provided by Elizabeth Daggett, and the introduction by L.J. Corder. Thank you.

Their deep understanding of the regulations was

evidenced, and played a crucial role in guiding us through this process, in particular, Ms. Daggett, as she was in her prior role. ACOTE currently accredits 511 programs across the United States, including 129 doctoral programs, 161 master's programs, 5 bachelor's programs, and 215 associate programs.

In preparation for the Summer 2022 NACIQI Meeting, Department staff reviewed ACOTE's petition for recognition, and found that we had not demonstrated sufficient standards and processes to evaluate whether our programs maintain academic requirements that align with commonly accepted academic standards.

Specifically, we failed to demonstrate that we were reviewing an analyzing program length at different degree levels for our accredited programs. In response to this finding, ACOTE took immediate action to meet the requirements outlined in criteria 602.17.

ACOTE added an interpretative guide to our 2018 ACOTE standards concerning program length, and began assessing compliance during programs scheduled review, and also via the annual reports, identifying and citing programs that did not meet the requirements of the standard.

ACOTE then incorporated the language of the

interpretative guide into the 2023 ACOTE standards. The program length standard emphasizes that programs must document a system and rationale to ensure the length of study is appropriate for the expected learning outcomes and graduate competencies.

The standard for the occupational therapy program at the doctoral level includes further guidance on a minimum number of six FTE academic years to complete the program, and for the occupational therapy program master's degree level, included in further guidance for a minimum of five, but no more than six FTE academic years.

The revised standard included the expected full-time equivalent academic year for each degree level, which includes both post -- pre-professional and professional preparation. The revised standard also required that programs document the program length, rationale, and considered the requirements of institutional accrediting agencies and state agencies in the curricula design.

Furthermore, ACOTE evaluates program success by reviewing pass rate data, and ensuring that programs take corrective action when necessary. This process is crucial in maintaining academic standards, and ensuring that the accredited programs meet the required benchmarks.

ACOTE continues to hold programs accountable regarding program length, starting from the candidacy stage. ACOTE evaluates not only the required FTE academic years for each program, but also ensures that credit hours, field work, and clinical assignments are adequately considered in the overall assessment.

In conclusion, ACOTE remains committed to ensuring that our accredited programs adhere to the highest academic standards, and provide a rigorous educational experience for all students. I want to thank you again for your time and consideration, and will be happy to take any questions.

C. PRESSNELL: Great. Thank you, Lynn. So, questions from the Primary Readers? Robert?

R. MAYES: Thank you for that. I want to commend you on the changes you did. That was very well done, and the guidance that was first, and then the adoption of new standards and the process you followed. My question is how many programs had to change to meet the new program length standards?

T. BRININGER: Thirty-one programs were cited with an area of noncompliance, and we have 14 programs are still remaining in noncompliance, that are working to compliance.

R. MAYES: Okay. Thank you.

R. SHIREMAN: Thank you. Thank you so much for your presentation, and thank you also for saying ACOTE, so that I can say ACOTE. As I mentioned when I introduced myself, President Trump has pledged to weaponize the accreditor review process.

Some have said that his legal leeway for actually doing so is pretty limited. For example, while we can discuss anything we want here today, NACIQI's formal assessment and action, and any ultimate decision by the Department as I understand it, is supposed to be limited to the single issue that was identified, and I agree with staff that ACOTE has fully addressed that issue.

That said, I am not confident that this administration will be guided by convention, much less the law, so I am going to ask about a couple of other topics. In his campaign video, President Trump said he will "fire the radical left accreditors that have allowed our colleges to become dominated by Marxist maniacs and lunatics."

He also said he would go after agencies that he considers, "anti-American," and require us all to "defend the American tradition." Now, I believe that defending the American

tradition means the federal government keeping its hands off of the details of accreditation and curriculum.

ACOTE -- my first question, ACOTE is a private, voluntary association. Is that correct?

L. KILBURG: AOTA is a voluntary professional organization.

R. SHIREMAN: Okay. And then you're --

L. KILBURG: And ACOTE, as a specialized accreditor, accredits the education programs for entry level occupational therapy and occupational therapy assistant programs.

R. SHIREMAN: Got it. Thank you. So, the Association and ACOTE -- I don't know if I should move further away? The ACOTE and the Association have a certain approach, a philosophy, and if a college or program decides it wants to embrace that, it can demonstrate it.

It can demonstrate to ACOTE that it does, and it can get your seal of approval, your accreditation. That's what accreditation is all about. Do I understand that correctly?

L. KILBURG: We do -- go ahead Teresa.

T. BRININGER: We have standards that they need to follow, and our standards are not prescriptive, so if they meet the standards yes, they can be accredited by ACOTE.

R. SHIREMAN: Thanks. I'm asking about what accreditation is about because a bill passed last year by the House Education Committee would prohibit a recognized accreditor, except accreditors of religious schools, from having any "ideological beliefs or viewpoints," other than those required by the Secretary.

This President, for example, has said he would require colleges to be pro-American. I think this would be a dangerous move to have the federal government decide what ideology a college should or should not have.

At the same time, we almost recognize that while we may not label things ideology, we must recognize that we do have beliefs and philosophies that are ideologies, and having different ideologies is what distinguishes accreditors from each other, and that is a good thing, allowing for a diverse array of views.

Not only does this mean that we can have three different Christian accreditors, two Jewish accreditors, and a general theological accreditors, a couple of them, it also means different medical accreditors and numerous career accreditors. The target of the House bill was DEI, but banning, "ideologies or beliefs," does not make sense in our system, or in my view, under

our Constitution.

I reviewed the ACOTE standards and saw several beliefs or ideologies that seemed perfectly reasonable and appropriate for the occupational therapy accreditor. For example, one is that there are social determinants of health. Is that correct, that you have -- you mentioned in your standards, social determinants of health.

Also, you believe in scientific evidence as I do, do I have that right, scientific evidence is a belief of yours? Thank you, I see.

L. KILBURG: That is correct.

R. SHIREMAN: Thank you. And the program's mission must "reflect the current published philosophy of the profession." And it's an interesting approach, and some accreditors do this. They don't actually have it in their standards, but they let the evolution of the academic discipline kind of judge itself the peer review process, so it allows for advances and changes in the research literature over time, and allows for the peer review process to make sure that all of the campuses that are accredited stay up to date through that process of peer review.

So, as I understand it, your purpose as an accreditor would pretty much be obliterated if you were not allowed to have,

and any ideology or beliefs, as part of your assessment of institutions. I will note that religion in the bill is exempt, so under the House bill it would be okay for an accreditor to require colleges to teach that the earth is 6,000 years old, based on the bible, but not for an accreditor to expect a college to teach what science tells us about the age of the earth.

I think a scientific evidence approach to education makes a lot more sense than an education based on religious dogma, but allowing both, keeping the government's hands off those questions, has worked well. That is how we have built the higher education system that every country in the world wants to emulate.

There are some in this administration who are Christian Nationalists, who want a modern version of the Crusades. We must not allow that to happen. Most churches believe in the separation of church and state, and we must not let the radicals use the levers of power to impose their ideology.

And then there is the front on which they have decided to launch their war.

C. PRESSNELL: Bob, if I can --

R. SHIREMAN: DEI. I am going to a question now. I view it as an important role of a college to pay attention to

patterns in who they are enrolling and employing, consider who may be left out, and consider whether there are causes worthy of -- or practices worthy of reconsidering.

Diversity, equity and inclusion is about thoughtful fairness and opportunity, rather than ignorant and dishonest blindness. I see that ACOTE does have some standards that ask colleges to look at some of those questions of inclusion. Can you tell us why your Agency believes it is important to pay attention to diversity, and how these standards, as a practical matter, have been implemented?

L. KILBURG: Yes. So, I'll start by stating that as a specialized accreditor, a programmatic accreditor for occupational therapy programs, we're working within the scope of occupational therapy, which is a health profession. And as a result, having an understanding of our clients, or patients, as well as practitioners, cultural background, socio-economic background, race, ethnicity, any number of diversity factors would be important to offering evidence-based healthcare.

So, as a result in our standards, I would think it's important within entry level education that a practitioner be prepared to understand the impact of that. You mentioned social determinants of health, that's another element of that particular

array of factors that affect a person's health, and their ability to engage in their daily occupations, which is the focus of occupational therapy.

In our standards, we anticipate that a program is operating within their institutional mission, so we have as we mentioned, many progrmas within multiple institutions that we accredit. Some institutions are state, some are private, some are faith-based, a whole variety, some are technical schools or community colleges, depending on the degree level.

And we do attempt to leave the standards open and non-prescriptive, so that the program can discern how they fit within that mission of the larger institution. And as a programmatic accreditor, we anticipate that the institution is following the applicable federal, state, or region's regulations and laws, related to administrative educational process.

So, when we ask questions related to how does a program fit within the institution, we might ask to see evidence of the institution's mission as an example, or value statements, and then how in practice a policy or procedure aligns with that as they engage of the process of delivering the OT education program.

R. SHIREMAN: Okay. Thank you very much. Thank you, Mr. Chairman.

C. PRESSNELL: Yeah, thank you Bob. And so, I know we're going to talk more about this during the policy discussion, so if we can make her questions a little more brief, that would be helpful. I've got two, Robert and then Jenn, and then Kathleen.

R. MAYES: Yeah, I wanted to ask a follow-up question. So, how is it being handled with the students who enrolled in the programs that now have a reduced length?

T. BRININGER: So, we gave programs when they were cited, we gave them time. We introduced the interpretative guide, so programs had about six months to start adjusting, and then when they were cited with an area of noncompliance, programs have two years to correct the noncompliance.

So, most students would have graduated out of the original program.

R. MAYES: So, if -- are students, you think, given the option to enroll in the revised program if they're still in one and not finished at the end of this process?

L. KILBURG: So, when a program submits a plan of correction, and then subsequent progress reports, we do evaluate what their teach out plan is. For instance, if a program were to submit that they were planning to change their curriculum in order

to come into compliance with the standard, and that would have created a program with a revised length, perhaps different course sequence, then we would be expecting to see how they would implement that, and teach out the current students.

And then additionally they have other policies that they have to have in place according to the standards that address student progression. So, what those policies would involve would be addressing that the student didn't decelerate for some reason, how that student would be advised, and what the policies are around helping them continue in the program, or address other things that might come up.

R. MAYES: Okay, thank you.

C. PRESSNELL: All right, Jenn?

J. BLUM: Hi. So, I actually didn't think I had questions, and I don't really, except for I want to take the opportunity to -- and I know Claude might cringe, but to ask a policy related question because I do think hearing from agencies on certain issues helps us when we then talk about policy.

So, when you were -- and it's interesting because your noncompliance was about program length, which is a really complicated issue, especially as it relates to doctoral. So, first of all, I want to applaud you for having to dig deep to think about sort

of master's versus doctoral, and program length issues because it is complex. Congress is right now considering, and I think we all probably all on a bipartisan basis agree with the concept of grad plus loans need revision and reform.

They, you know, a lot of students are borrowing a lot of money at the graduate level, sort of to no end, and so some revision on that program, if not removal of that program is something that's being considered. It directly relates to program length of course, and also the issue of whether there's a need. Can you speak for a minute about the difference between master's and doctoral at the occupational therapy in that?

And again, really professionally specific, right? You can only speak to occupational therapy whereas in other professions it might be the length, it might be different. But can you speak to the need for the different, you know, for having master's versus doctoral, and also to some degree sort of how that interfolds with licensure?

I think it's really important in terms of relating that back to the length issue, so I know this is sort of a theoretical, put you on the spot question, but you probably thought a lot about this while you were doing -- revising your own rules. Thanks.

L. KILBURG: Certainly. So, I would note that

within the occupational therapy profession there are two practitioner levels. That's therapist and we have two entry points to that level, that's the master's and doctoral, and then occupational therapy assistant, and we have two entry points into that level, the associate and the baccalaureate degree level now.

So, specific to your question, because we have the practitioner, occupational therapist, there is a baseline entry level standard for what all practitioners need to know in order to enter practice. When we enter practice we enter a generalist out of each program, the master's and the doctoral, which means that we might work with people from newborns up through older adults across a variety of settings, medical settings, education settings, community health settings, and community settings in general.

So, the difference between the entry level standards at the master's and doctoral level at that generalist part is not distinct. Both individuals who enter a master's or a doctoral program are going to be ready to enter practice. The doctoral level programs add a Capstone project and experience, which allows further exploration of an area of leadership, research, programmatic development, policy development, and a couple other areas, so that as an entry level practitioner you can engage in more of the policy setting, and change agent topics that are

involved in healthcare today.

It's more focused on population health, and supporting occupational rural development across populations, and that's simply the one on one direct care, which is a very common area where occupational therapists work. So, the two degree levels do offer distinct preparation towards that doctoral level entry practitioner being able to have a greater impact on health -- on the health and wellness of populations, communities, as well as the individuals.

J. BLUM: Thank you.

C. PRESSNELL: All right. Kathleen?

K. ALIOTO: First of all I'd like to thank you for your presentation today, and for your work on behalf of American people who need occupational therapy. And, I wonder, I looked at the transcript from the last time you presented, and that you had changed your pass rate for your students to 80 percent.

And that this was followed-up by an 80 percent success rate in NBCOT examinations, is that correct? Is that still correct?

L. KILBURG: It is. Our standard is 80 percent pass rate overall for the NBCOT exam.

K. ALIOTO: So, is that exam given at all levels, or

is it -- is it, so it's a different exam for each level?

L. KILBURG: There is an exam for the therapist, and an exam for the assistant because again, entry level practice as a generalist, you can enter practice as a therapist with a master's or a doctoral degree, and then the entry level exam for an assistant can be at either the associate or baccalaureate degree.

K. ALIOTO: And, I'm potentially interested in your success rate of 80 percent, when a number of the institutions that we're looking at as a body, have a graduation rate of 30 percent, for which students are paying huge amounts of money. And I gather from your presentation that you have changed the curriculum, and they're working with students who have in your expression, "decelerated."

Could you elaborate on that a little bit because I think other colleges, universities, and accreditors might benefit from your insights since most of us don't seem to be as successful.

L. KILBURG: So, two things I'd note with our 2023 standards that are newly adopted, and will go into effect this summer after a regular process of review of the standards have another standard related to graduation rate itself.

So, the first one we were talking about that was a standard when we had our review in 2022, was certification exam

pass rate, which students are only eligible to sit for the certification exam if they've graduated from an accredited program. So, now with the new standards, there are two standards.

One, the 80 percent certification exam pass rate, and then secondly a graduation rate at 80 percent, as well as that standard. Teresa will jump in if I spoke anything incorrectly there. But what I'd note is that by and large, so the majority of programs are able to meet those standards, and we do have advising policies, a standard that relates to admissions processes, that admissions criteria have to be thoughtfully aligned with the expectation that the student could be successful in a rigorous graduate program.

In that case for instance, or an OTA program, advising policies to support students as they progress through the program, which would include academic standards, as well as professional behavioral and readiness standards. And then additionally, standards related to progression through the didactic course work, as well as clinical course work and field experiences, since those require kind of some different elements or expectations, all moving towards that.

I think our belief is that when you enter a professional type program like this that, you know, students are able to progress through that and with the support of faculty. It's a

little different process than a generalized approach to undergraduate education as example, and so the programs are able to meet those standards.

K. ALIOTO: Okay. And let's see, my last question -- thank you for that explanation. I hope other accreditors will listen to that. The other question, the last question is what are the numbers of people who meet with the world, or the United States graying up, even if we have our hair colored.

What is the need for occupational therapists? Has it continued to grow? What are the numbers?\

L. KILBURG: Right. I do apologize. I probably can't quote you specific numbers, but I can state generally that the Bureau of Labor Statistics continue to see occupational therapy as a growing profession, particularly as you mentioned since our communities and populations are aging.

Occupational therapists work across the lifespan with the majority of occupational therapists working with adults, or older adults in medical settings, primarily. But then the second largest area where we might work is in the school systems, so both K through 12, as well as early interventions for children.

K. ALIOTO: Thank you.

C. PRESSNELL: And all right, I have Michael and

then David. Michael, could you use your mic please?

M. POLIAKOFF: Oh sorry. Of course. Good morning everybody. Yeah, Dr. Kilburg, I wanted to thank you for the clarity of your answer in regard to Robert Shireman's question about issues of diversity in occupational therapy. After all, we're all familiar with the fact that say Tay-Sachs disease, or Sickle Cell Anemia have certain ethnic components, and that's only good medical practice to recognize that.

I compliment you on the clarity of that answer. And, Mr. Chairman, I think during policy we really should have a full-fledged discussion about the depredations that DEI has worked on academic standards and other aspects of campus life, but let's save that for tomorrow.

C. PRESSNELL: Yeah, I appreciate that. Yeah, I actually already have this topic down as a topic of discussion for the policy section tomorrow, and so again, if we just keep our questions just really narrowly defined to the Agency, and ask the questions that would be great, and then the broader issues we'll definitely grapple with, I promise a sufficient amount of time to grapple with the broader issues as we need to do that. David Eubanks?

D. EUBANKS: Thank you. I appreciate the time

or question, and appreciate your remarks, Dr. Kilburg, and the work that you do. My question is related to the number of credits required for programs, some indirectly. It seems like the number of credits, the number of courses, and the amount of tuition students have to pay is related to how much they're borrowing in those courses.

And you have mechanisms in place, you talked about progress of students and monitoring pass rates and so forth to make sure all that's working smoothly. You've got two standards, 848 is about transcripts, which are signaled to external observers, other schools perhaps, employers, about the quality of learning that happens in these courses.

And you've got another standard, 857, which is about assessment strategies, I assume internal to programs to ensure that the acquisition of knowledge is happening. I want to tie that together because there's credible evidence throughout higher education that the signaling power of grades is eroding because nowadays students are getting higher grades for the same level of accomplishment.

This could have all kinds of ripple effects on the number of credits requirement, signals to external audiences, graduation rates, admission standards, everything has been tied to

that So, my question is, is this something that your agency is concerned with and monitors?

L. KILBURG: So, I would share that there's another standard as well that looks at admissions policy, and the short answer to your question is, is yes, we are concerned with that, and we think that admissions policy is an important consideration for a program as it develops and creates the progrma to consider if the student is going to be able to meet the requirements of graduation in the program, and show the knowledge and the skill mastery that's required to ultimately pass the certification exam and enter practice, which is a requirement.

So, what I would say, as an educator myself in higher education, what's I've seen in the Association is an effort towards study of what factors predict success. Sometimes that is an academic grade in certain content areas, but then additionally I'd say that within occupational therapy it's not uncommon, sort of a program to have an interview process, or other elements that are required as a part of admissions to show that a person has the ability to both succeed in the program, and then pass that certification exam.

The academic story and GPA is one part of that, one factor, but additionally there are other factors related to how a

person would interact with people, potentially, how they're viewing health and health disparities, and those things are things that we see in the application process as well, where programs do multiple mini-interviews, they do writing samples, they do a variety of things beyond just the transcript and the GPA.

D. EUBANKS: Thank you for that answer. It's gratifying to see that you take the admission standards seriously. I've asked similar questions to other agencies and have gotten less satisfying answers about that. My question is a little bit more detailed though. It seems that the assessment culture that's involved in accreditation has an allergy to using grades as data.

We've seen this in several instances, so my question is directly do you encourage programs to connect their assessment data to the grades in the courses as a kind of validation?

L. KILBURG: You know what? I would describe our approach as a comprehensive approach. For instance, if you look at our program assessment standard, we have a number of factors that we ask programs to consider as they're assessing whether they're meeting their learning objectives.

Those include student progression, and their GPA performance perhaps, but they also include for instance, the competence of faculty and instruction, student's feedback on

clinical placements, as well, employer feedback. And looking at a wide range of benchmarks, or assessment triggers, so that the program could really understand what areas they might be able to improve upon in order to ultimately meet their student learning objectives.

So, I don't know if I've answered your question as directly as you might like. I'd say it's a component amongst a comprehensive, what we hope is a comprehensive view of program success in meeting those learning objectives, and helping a student ultimately graduate and pass the certification exam.

D. EUBANKS: Thank you. I appreciate your response.

C. PRESSNELL: All right. Zakiya?

Z. SMITH: Hi, good morning. I want to start by echoing the support for how you all have addressed the issue that has been raised in the compliance report, and note that this question is not particularly relevant to that issue, but given that it may be relevant to our policy conversation later, I want to make sure that I understand this just for context.

Your accreditation standards mention diversity, equity and inclusion, which have been the topic of a lot of conversation lately, and I'm looking at the very helpful definitions

that you all have in your accreditation standards, because I think a lot of people don't know not just, you know, the Miriam Webster definition of these things, but kind of ascribe other meanings to them, and you all take that off the table by saying this is what we mean by these things.

So, I just want to make sure that understand you have inclusion is not simply tolerance, it inherently embraces the value of all individuals, it is the active response to diversity, fostering acceptance, respect, belonging and value for each individual. To support diversity, inclusion must be actively pursued.

And so, my question is simple, does that still hold true to you all as an important component of your accreditation standards today?

L. KILBURG: It does. And what I'd note about that is you'll see probably if you're reading from that, that it also references a document from AOTA in 2020. So, you know, and is rooted in our philosophy towards people and their engagement in occupation.

And then, as practitioners, it's important for us to understand the context of individuals, and as a practitioner, it's important for me, for instance, not to sign my own perspective, or

decision making on what I might do with my health and occupations to someone else. I need to be able to support them in them pursuing their own choices in occupations.

Z. ELLIS: Thank you. It's really helpful to understand from your perspective how these principles make the profession that you all are supporting better.

C. PRESSNELL: All right. Very good. Any other questions? Yeah, Roslyn? Yeah, Michael, could you put your card down? That would be great, thanks. Roslyn?

R. ARTIS: I did not have it --

C. PRESSNELL: I'm sorry. I was looking right at Kathleen, and I said Roslyn. Kathleen, please?

K. ALIOTO: Thank you, Claude. I just have one -- one more question, and that is when you say interview people before they're accepted to the programs, what is the -- what percentage of students don't make the cut in that interview process? I'm trying to envision what other accreditors are going to say when I question them about their 30 percent overall graduation rate? That's why I'm asking the question.

L. KILBURG: I'm afraid I don't have a percentage, or know that information. We don't track how many students would not necessarily gain admissions because of that particular

element. What I would remark on is it's not uncommon to see programs have multiple types of requirements for entry to the program, so GPA, interview, and writing samples, as another example.

And so, typically those all funnel up into one particular rating versus isolating out necessarily one element to another, and then interview from having a minimum benchmark.

K. ALIOTO: Thank you.

C. PRESSNELL: All right. Very good. Any other questions? Yeah, Keith?

K. CURRY: I hope I don't screw this up again. Just one question. I was thinking just about to a question I was asked earlier regards to your new standards. Can you talk about the development process of that, and how would you go about developing the process and reviewing the standards?

Because I saw that you approved the standards on March of 2024. I'm just curious of the length of the process of creating or reviewing the standards, and the involvement of the organizations involved in the standards development.

T. BRININGER: So, I can speak to that. So, we have a policy for our standard review process, and it's a very comprehensive, it's about a two year process. We have a

committee that's made up of communities of interest, and they go through one by one every standard, and then they publish it to the communities of interest for feedback.

We present it at our conference, try to get more feedback. The committee meets again, adjusts, makes changes based on feedback, and then ACOTE finally votes on it, so it's a collaborative process with the profession.

C. PRESSNELL: Does that answer your question, Keith?

K. CURRY: Yes. Thank you.

C. PRESSNELL: All right. Very good. Any other questions? All right. I do not believe we have any third-party commenters on this, with this Agency, and so L.G., do you have any final comments?

L. CORDER: No. Just I want to thank the Agency for its efforts and attention in addressing the compliance report issues, and for the reviewers and the Committee, and their discussion and consideration. That's all I have.

C. PRESSNELL: All right. Thank you very much. So, I would entertain a motion, Robert?

R. MAYES: I'll make a motion. I move that NACIQI recommend that the Senior Department Official accept all

the recommendations of the final staff report for the American Occupational Therapy, excuse me for the Accreditation Council for Occupational Therapy Education.

C. PRESSNELL: Bob seconds that. Do you have that Monica? She's getting there. Any discussion? Any questions for discussion? Keith, you do or do not?

K. CURRY: No.

C. PRESSNELL: Okay. Sorry. All right. Kathleen, I assume you do not either, but if you --

K. ALIOTO: No. But I'm just blown away by this accreditation agency. I just thank you, thank you, it's just it's so lovely to start this meeting on a high. Thank you.

C. PRESSNELL: Once we get the motion up then we'll take a vote, so although no pressure, which then invokes pressure, you know, one of the things, I apologize for that. All right. All right. So, the -- well, this is not good. Let me give it a go here.

The NACIQI recommendation is I move that NACIQI recommend to the -- that the, I can't read it. Could you read it for us Monica?

M. FREEMAN: Sure.

C. PRESSNELL: I've got to get this contact

gauged.

M. FREEMAN: The NACIQI recommends that the Senior Department Official accept all the recommendations of the final staff report for American Occupational Therapy Association, Accreditation Council for Occupational Therapy Education.

C. PRESSNELL: All right. Very good. We've had a motion and a second. Any other questions, debate? All right, take the vote.

M. FREEMAN: All right. Zakiya Smith Ellis, how do you vote?

Z. ELLIS: Yes.

M. FREEMAN: Kathleen Alioto, how do you vote?

K. ALIOTO: Yes.

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

R. ARTIS: I vote yes.

M. FREEMAN: Thank you. Roslyn Artis votes yes. Jennifer Blum, how do you vote?

J. BLUM: Yes.

M. FREEMAN: Jennifer Blum votes yes. Wallace Boston, how do you vote?

W. BOSTON: Yes.

M. FREEMAN: Wallace Boston votes yes. Debbie Cochrane, how do you vote?

D. COCHRANE: Yes.

M. FREEMAN: Debbie Cochrane votes yes. Jose Luis Cruz Rivera is absent. Keith Curry, how do you vote?

K. CURRY: Yes.

M. FREEMAN: Keith Curry votes yes. David Eubanks, how do you vote?

D. EUBANKS: Yes.

M. FREEMAN: David Eubanks votes yes. Art Keiser is recused. Michael Lindsay is absent. Molly Hall-Martin, how do you vote?

M. HALL-MARTIN: Yes.

M. FREEMAN: Molly Hall-Martin votes yes. Robert Mayes, how do you vote?

R. MAYES: Yes.

M. FREEMAN: And Robert Mayes votes yes. Mary Ellen Petrisko is absent. Michael Poliakoff, how do you vote?

M. POLIAKOFF: Yes.

M. FREEMAN: Thank you. Michael Poliakoff votes yes. Gary Ransdell, how do you vote?

G. RANSDELL: Yes.

M. FREEMAN: And Gary Ransdell votes yes. Bob Shireman, how do you vote?

R. SHIREMAN: Yes.

M. FREEMAN: Bob Shireman votes yes. The total of 13 yes.

C. PRESSNELL: All right. 13 yes, so the motion passes. Congratulations to the Agency. I appreciate all your effort, and also to the staff for the review. So, we are going to take a 20 minute break, so it will be 10:30 Eastern Time, and so we look forward to seeing you back at that point, so Committee members, go get your server quarters in.

Recommendation: The NACIQI recommends that the Senior Department Official accept all the recommendations of the final staff report for American Occupational Therapy Association, Accreditation Council for Occupational Therapy Education.

(Break 10:09 a.m. - 10:31 a.m.)

COMPLIANCE REPORT:

MIDDLE STATES COMMISSION ON SECONDARY SCHOOLS (MSCSS)

C. PRESSNELL: All right. Welcome back, and we are looking forward to our next agency, which is going to be the Middle States Commission on Secondary Schools (MSCSS), and I believe we have no recusals for this accrediting agency. And our Primary Readers are Jenn and Roslyn, and Jenn, are you going to take this?

J. BLUM: I am taking this.

C. PRESSNELL: All yours.

J. BLUM: All right. The Middle States Commission on Secondary Schools is one of three Commissions of the Middle States Association of Colleges and Schools, primarily an accreditor of secondary education institutions. The Agency also accredits postsecondary non-degree granting vocational institutions, some of which are Title IV eligible, and this is the federal link for recognition purposes.

Currently, the Agency accredits 58 postsecondary, non-degree granting institutions of which 7 are considered candidate institutions, and 27 institutions intend to use its accreditation to establish eligibility for Title IV. The Middle

States -- I'm just going to call it Middle States, which I know is confusing, but this is the secondary schools, just so I don't have to say the name over and over again.

The Middle States was established in 1920. It was first recognized by the Secretary for the accreditation of public vocational technical schools offering non-degree postsecondary education in 1988, and remained recognized until 1999. It briefly withdrew from recognition, and then was recognized again in 2004.

Middle States was last reviewed for recognition at the Summer of 2022 meeting of NACIQI, both the Department and NACIQI recommended to approve the Agency's renewal with a compliance report due in 12 months. The required compliance report is the subject of this current review today.

The staff is recommending renewal to renew the Agency's recognition for two years, and five months, which is the remainder of the term. Importantly, however, the Department staff also recommends the imposition of a limitation to the Agency's recognition prohibiting it from accrediting any new institutions until the Agency demonstrates through sufficient documentation to be submitted and evaluated by the Department its compliance with Sections 602.21(a), 602.21(b)4, and 602.21(d).

These sections of the regulations relate to the required involvement of relevant constituencies when developing agency standards. The staff has found that the Agency has failed to meet these standards based on the materials provided.

C. PRESSNELL: All right. Thank you very much, and thanks for making that distinction because in the higher ed side, when you hear Middle States, you think former regional, and here we're talking about non-degree seeking programs, certifications if you will, pre-degree certifications. All right, so Beth Daggett?

E. DAGGETT: Yes. Good morning again. Mr. Chair, and members of the Committee, my name is Elizabeth Daggett, and I am providing a summary of the review of the compliance for the Agency, which we refer to as Middle States Secondary.

So, I will refer to it that way. I am making this presentation because as you all know, Herman Bounds, our Director retired, but then also one of our other analysts, Karmon Simms-Coates has also retired, so instead of --

C. PRESSNELL: So, will this be your last because you move into this new role it will be your last?

E. DAGGETT: Yes. This will be my last one.

C. PRESSNELL: Well, all right. All right.

E. DAGGETT: Hopefully.

C. PRESSNELL: Get your questions ready. All right, here we go.

E. DAGGETT: Hopefully. So, just to reiterate the current scope of recognition for the Agency is the accreditation for institutions with postsecondary, non-degree granting career and technology programs, to include the accreditation of postsecondary, non-degree granting institutions that offer all or part of their educational programs via distance education modalities.

Their geographic area of accrediting activities is the United States. As Jennifer said, the staff is recommending to the Senior Department Official for the Agency to renew the Agency's recognition for two years and five months, which is the duration, the maximum duration from the SDO letter.

And to also impose a limitation to the Agency's recognition, prohibiting it from accrediting any new institutions until the Agency demonstrates through sufficient documentation to be submitted to, and evaluated by the Department, it's compliance with Section 602.21(a), 602.21 (b)4, and 602.21(d).

This recommendation is based on our review of the

Agency's compliance report and the supporting documentation. The Department received no complaints or third-party comments regarding this Agency since its last review by NACIQI. Our review of the Agency's petition found that the Agency is not in compliance with the Secretary's criteria for recognition.

Middle States Secondary failed to demonstrate compliance with Sections 602.21(a), and 602.21(b)4. The SDO required the Agency "provide evidentiary documentation to demonstrate that it gave constituents an opportunity to review and provide input during its comprehensive review of standards."

Middle States Secondary failed to demonstrate that it involves all of the Agency's relevant constituencies in the systematic review of standards, and affords them a meaningful opportunity to provide input into the review.

Specifically, Middle States Secondary was unable to provide documentation of any annual invitation for feedbacks into its accredited institutions, and stated that it did not have any documentation of communications sent to relevant constituencies from its five year comprehensive review in 2019.

The Agency stated that it was planning to update its policy on standards review related to feedback from relevant constituencies, but hadn't done so. It also stated that it plans to

conduct its five year comprehensive review of standards in 2025, which is actually six years after the last comprehensive review, and doesn't meet its own policies, but it hadn't started that process.

Middle States Secondary also failed to demonstrate compliance with Section 602.21(d). The SDO required the Agency, "To establish a policy that complies with the requirements of 602.21(c), and 602.21(d)3, and provide evidentiary documentation for demonstrating the application of its policies."

Middle States Secondary failed to demonstrate that during its last comprehensive review of its standards in 2019, it complied with the requirements of 602.21(d) before finalizing changes to its standards by notifying constituents and interested parties of potential changes to existing standards, giving those entities an opportunity to provide comments, and acknowledging and responding to the entity's comments.

Specifically, the Agency stated that it does not have documentation of communications sent to the constituencies, or other parties regarding its 2019 comprehensive review, and provided no other documentation to demonstrate compliance with this section.

It is unclear to the Department staff why the Middle States Secondary did not place more effort into correcting the

findings of noncompliance noted in the SDO letter. The SDO letter required the Agency to correct the findings of noncompliance within 12 months, and to submit a compliance report demonstrating its compliance within 30 days thereafter.

In addition to the compliance reporting period, the Agency had six months to respond to the draft staff analysis, and could have taken corrective actions to demonstrate compliance during that time. Department staff also noted that the Agency did not submit its response to the draft staff analysis by the due date, and the Department staff had to contact the Agency to inquire about its response to the draft analysis.

The Agency's continued inaction and failure to demonstrate compliance with the sections cited, provide Department staff with limited options regarding a recommendation to the SDO.

An accrediting agency must demonstrate compliance within 12 months regardless of the level of severity of the noncompliance at issue, or the Department must recommend a limitation, suspension, or termination of recognition of the Agency, consistent with the requirements of Sections 496 of the Higher Education Act and the Department's own regulations.

The HEA and the Department's regulations provide

an allowance for the Department to extend the 12 month timeframe for good cause and extraordinary circumstances. However, since the Agency took no action during the 12 month compliance reporting period, or during the six months that it had to respond to the draft analysis, Department staff has no basis to recommend that the SDO grant an extension for good cause.

Therefore, as I've stated earlier, Department staff is recommending to the Senior Department Official to renew the Agency's recognition for two years and five months, and impose a limitation to the Agency's recognition, prohibiting it from accrediting any new institutions until the Agency demonstrates, through sufficient documentation to be submitted to, and evaluated by the Department, its compliance with Section 602.21(a), 602.21(b)4, and 602.21(d).

There are representatives of the Agency here to answer any questions. Thank you.

C. PRESSNELL: All right, thank you, Beth. Technical questions? Yeah, Bob?

R. SHIREMAN: So, procedurally your recommendation, they would be -- they would have this limitation. They would show that they addressed the issues, and is it a staff determination, or would it come back to NACIQI?

E. DAGGETT: It would not be a staff determination. We wrote more within the actual report itself that the staff does not have the ability, the authority, to make a decision regarding a recognition, so it would have to go back through the SDO, through NACIQI in order to have that limitation lifted.

R. SHIREMAN: Thank you.

C. PRESSNELL: Any other clarification questions? Yeah?

J. BLUM: So, I have a couple of process related questions, Beth, and then I actually have a substantive question, but I think -- about this, but I think I'm going to leave that one to the end. So, just following-up on Bob's question, I just want to be clear.

Are you -- this limitation, is it explicitly the length of their term, you know, the 2 years and 5 months, or could they, and I know there are time issues, but could they come back through in advance of that? Obviously, like you've just said, they'd have to come back here, so that's but could they -- is there enough time that they could?

I just want to understand the timeframes in relation to the 2 years 5 months.

E. DAGGETT: Technically they could come

earlier. It is not tied to the recognition period. However, their full petition is due to be submitted in July, so it is -- it might not be likely that it could be done separately.

J. BLUM: Okay. And then my second question is something that I'm sure will come up. Well, I say sure because I'm actually going to ask that it come up tomorrow, because it relates to this Agency, and actually, frankly, the other three agencies that are up in this meeting.

I have a question, and I know we've talked about it before, but I think it's really important for the record. So, we saw this Agency in the summer of 2022. It's a compliance report that has an expectation of the 12 months timeframe. It's now February of 2025, so it's almost three years later, and not 12 months later.

Can you -- and I do think it's important for this record, when we talk about solutions maybe in the policy conversation, but as it relates to this Agency, can you talk about the timeframes? Because I find it in this instance because there is a limitation, and maybe in every instance in fairness to the schools and the accrediting agencies, these timeframes are troubling.

But, especially when there's about to be a limitation potentially imposed, and we waiting almost three years to impose it. So, can you speak to the problems around the timeframe as it

relates to this Agency? Did they need the timeframes, or the -- you just spoke to yeah, yeah.

E. DAGGETT: They did meet the timeframes. I mean compliance reports, or anything that has a time limit. There's nothing that could preclude an Agency from turning something in sooner. That being said, the 12 month compliance report is from the date of the SDO letter.

And the SDO has 90 days from the date of the NACIQI meeting to issue a letter, then the compliance report period is 12 months, and then technically they get an extra 30 days to prepare the report, so that's at 13 months. Then the compliance reports are required within our regulations, through the regulations that were updated in January -- I'm sorry, July 1, 2020, that they also have to go through the same exact process which also requires that after we provide a draft staff analysis, that they have -- we must provide at least 180 days for them to respond.

And then, we have to provide our report to all of you, and to them at least 30 days prior to the NACIQI meeting, so I haven't been writing down all of those months, but that's why there's an extensive addition to the length of time.

J. BLUM: And the 180 days is in regulation, right?

E. DAGGETT: Yes.

J. BLUM: Okay. So we can talk about that tomorrow, but.

C. PRESSNELL: Well, it's a good observation. We run into the timing issue --

J. BLUM: All the time.

C. PRESSNELL: -- every meeting.

J. BLUM: Right.

C. PRESSNELL: So, all right. Very good. Any other clarification questions? Yeah, Debbie?

D. COCHRANE: I admittedly, I'm not sure if this is a clarification question, or a substantive one, but feel free to answer or punt for now. As you noted, the Department's options here are limited, but given the continued noncompliance, the Department must recommend a limitation, suspension or termination of recognition.

Could you speak to the extent of noncompliance that would lead the Department to suggest a limitation, suspension or termination, or just, you know, why limitation in this one, as opposed to either of the other two options?

E. DAGGETT: Well, to be honest, even though the statute, it's actually statutory language, a requirement of the limitation, suspension or termination, which we refer to as LS and

T options, I'm going to go out on a limb and say it would be very rare for us to ever do a suspension because a suspension is pretty much a termination because we're suspending their recognition.

It would have the same impact on an agency as it would a termination, and that they would no longer be recognized by the Department, and they would have to probably go through the same exact scenario of review, like a full review to be brought back.

So, we have never used the suspension. Termination is when we feel that there are, you know, significant issues that they are not able to come back from, and they're not able to demonstrate, you know, their compliance with our regulations.

We decided to go with limitation because as I noted that it doesn't matter the severity of any issues, we are required to, you know, and put forth our recommendation for one of those options, and we felt that even though the Agency had not had compliance in those particular issues, we felt that they are not as significant to demonstrate that they would not be able to return to compliance.

Like I said, we're not sure why they didn't take steps in this area, but we felt the limitation was the most appropriate one

to choose for this scenario.

C. PRESSNELL: All right, very good. Very good. So, at this time we will invite the Agency representatives to provide their comments about the report. And I have Christian Talbot as President. Christian, you can introduce yourself and your team please.

C. TALBOT: Yes, thank you, good morning everybody, and as you just heard, I'm the President of Middle States Secondary, I'll use Beth's language for clarification.

I joined Middle States in July of 2022, and I'm joined this morning by my two colleagues, Dan Rufo, who oversees all accreditation for us, and Katie Facemire, who is the Associate Vice President for Accreditation, and the one on our staff who is primarily responsible for overseeing career and technical education accreditation, although there are several others on our staff who do that as well.

I had much longer prepared remarks, but you've already covered a lot of territory, so I'll just jump right to the two issues that Beth was describing a moment ago. In terms of the timeliness of our submission, I think there are two explanations for that.

One is that this work was previously being

spearheaded by our former Executive Director -- Executive Vice President of Accreditation, who is no longer with the Middle States Secondary. And unfortunately, on his way out, he deleted all of his emails that were unrecoverable, and so a lot of the work that was done prior to my taking over the work he had been doing, and that happened in January of this year, January, rather of 2024.

I was kind of left a little bit hamstrung. Starting in January 2024, and over the next 11 months I was the one who took over the relationship with Karmon Simms-Coates, who was mentioned earlier, she just retired along with Herman.

And I mistakenly understood that in each of those conversations, and I must have had, you know, 30 different phone calls and email exchanges with Karmon in an 11 month period.

I was mistakenly under the impression that we were fulfilling the Department's expectations, and I realize now that that was not the case, that all of the evidence that we were supplying to Karmon over the course of those 11 months was not in fact treated as submission of evidence.

That's my own failure. I take full responsibility for that, but I hope that's not understood as an excuse, just an explanation for why our submission was a little bit late. On the question of feedback, I will read from some prepared remarks

because I think there is some fine detail here that's worth mentioning.

Our reviews took place in 2020, and we published our standards in 2021. At that time of the initial review of standards and publication on January 1st of 2021, we had originally engaged in pretty extensive feedback loops with our Commissioners, who come from our member schools, including our career and technical schools.

We had 15 pilot schools working with those revised standards and our Middle States staff. And in addition, we had made a survey available on our website to solicit feedback from the broader public. As Beth noted, there's no evidence of communication to our members because as I indicated it was the responsibility of the former Executive Vice President for Accreditation to send that notice, and he deleted his emails.

So, that notice was unrecoverable for us. However, that aside, after we heard from the Department, we emailed our survey to every single member of Middle States, and I hope I'm not muddying the waters by pointing out that in addition to this work that we do with career technical schools, we have over 3,000 members around the world in pre-K through 12.

So, we just took the liberty of sending everybody in

our contacts, roughly 13,000 people the survey for feedback on our standards. That survey remains open. It remains on our website. As of this morning we have gotten 25 responses, so 25 responses since January 6th of this year, so roughly six weeks let's say.

Of those 25 responses, 90 percent expressed support for, an affirmation of our work. One person recommended some terminology, and they suggested we use the word leadership in a standard that is about governance and organization. And then two people offered just sort of generic, constructive feedback.

As a next step, we will integrate that feedback that we received into our standards review process that will be taking place this summer. In addition, we will send our full membership again, roughly 13,000 people, another request for feedback on our existing standards in May, before schools adjourn for the summer, so that we are doing everything in our power to solicit the feedback, and document that solicitation, as well as the feedback itself that we failed to do previously.

And finally, as I mentioned, and as Beth mentioned, our standards review will be taking place this summer. Those standards -- those updated standards will be voted on by the Commission in November of 2025, and they will be published for January 1st of 2026.

C. PRESSNELL: All right. Jenn and then Roslyn.

J. BLUM: Yeah. I have a -- thank you for that, and now I'm going to adjust some of my questions, but I do have a series of questions for you because I do find all of this really concerning. So, it seems really odd to me that -- I understand that you lost an Executive Director. We all lose sort of in our careers, senior level people, and sometimes we wonder about what happens to all of their emails and stuff like that.

But in this day and age, usually there are retention systems on record keeping, and as something that relates as important to your own notice and comment opportunities to your constituents, I'm just really troubled. So, is there no record retention system that you all have for either email and other forms of seeking notice and comment?

C. TALBOT: Yeah. I totally agree with you. It is troubling, and once we discovered the deletion, and the non-recoverability, we immediately put in place a system with our IT Director to backup everything on a regular basis.

J. BLUM: So, okay, so that's sort of point number one. On notice and comments, so you said that you emailed it out, and I suppose that's sort of a normal way of seeking notice and comment. And I'm using the term notice and comment on purpose

because that's how I, in my experience with accreditors, the reliance on surveys to me is not as sort of proactive of an approach to actually want to get feedback.

I had to be, you know, but a survey is sort of something that people voluntarily, you know, I'll respond to this or that. And so, is survey your only mode of seeking feedback on your standards, primarily when you're potentially updating standards. Is that your only mode? Because there has been a lot of updating of standards with various changes, and accreditation guidance and regulation over the last few years.

So, is that your only mode of seeking feedback is this survey, the annual survey?

C. TALBOT: Great question, and the answer is no. We seek feedback through multiple channels. Probably the most important channel is our Career and Technical Advisory Committee.

So, after an accreditation visit happens, and that visiting team submits their report, that goes first to an Advisory Committee that consists of subject matter experts, often from our member schools in career technical education, and then they review those reports before passing them on to our Commission.

So, that Committee is one place that we seek in a

proactive way, and kind of basically force them to give us feedback on standards. Our Commissions, as I said earlier, consist of member schools, and so we like also force them to give us feedback, and again, would there be any additional place that we would be seeking feedback besides the email survey?

D. RUFO: Excuse me. Hi everyone, my name is Dan Rufo. We would actively ask engaged schools in the self-study.

J. BLUM: So, so that's helpful, but actually I'm not sure compliance -- the answer is actually I'm not sure compliant with either the federal regs, or your own standard for participation because I think, and I don't want to go back to Beth later on this, but I think the idea is to allow an opportunity for all of your institutions not just -- I think it's great, so I'm not criticizing the input of your own Commission members, or your Committees.

But that's not representative of seeking input from your entire constituency. So, I would say that those are great opportunities for proactive input, but I would actually also question whether that's compliant with your own standard, which says that you're going to seek input and participation, that's your own word, from your institutions.

So, I just a one-way survey, and those specific

examples to me are not exactly what is meant perhaps by your own standards, and by the Department's regulations, so that's just my -- that's not a question, but so then related, I will go to another question.

You just yourself mentioned the amount of reply from your annual so far this year, but in general I think I saw that even in some of your other annual solicitations, you've had no respondents in the past. Do you send out reminders to the survey, or otherwise encourage replies, or is this something that sits?

I know that you have a link on your website, but is there having a link on your website again, not proactive in terms of seeking the feedback. So, are there efforts to encourage responses to the survey, or is this just you send it out, and then you hope that people -- like tell me if there's any follow-up on your own solicitation of the survey replies please?

C. TALBOT: Yeah. Another great question, and as I mentioned earlier, we'll be sending it again in May to catch schools before the end of the school year. And I can't speak to the past, but would certainly be happy to take guidance from the Department, or from the NACIQI Board about recommendations on that front so that we can be as helpful as possible in seeking the feedback and participation.

J. BLUM: Well, I have one comment that I was thinking about whether to say or not, but I will say that Middle States on the higher end side sends out notice and comments, and gets a flood of replies, so it may be as simple as talking to your partner or agency to find out how it is that they will issue notices.

And actually, and I just know from my own experience, they get lots and lots of comments back. So, it might just be as good as knocking on the door next door to find out a good solution there.

I just want to ask do you see -- because there is a little bit, in fairness, there's a little bit of a chicken and egg here. You have a process whether your own constituents then respond to your process of course is a little bit of a chicken and egg. It's like okay, I set up a process. That's what's, you know, and I think some agencies think that's what's required.

I'll set up a process, and whether or not anybody replies is not the question, you know, of meeting a standard, or a criteria. But do you see the difference here between seeking feedback, and the ability to demonstrate constituent involvement because that's really I think the question?

C. TALBOT: Yeah. Yeah, absolutely. It's crystal clear to me. I think the word participation puts a fine point on it.

J. BLUM: Okay. I just thought I'd ask that for a go forward purposes. And then I want to pick up on something that Beth referenced, and is a little bit of a timeframe issue, but you have your standard, and you mentioned it too actually, the process for your standards review.

I'm just curious how you got to we saw, so you were up before the Department in 2022, then -- and then you had this compliance report, and then there's a 12 year, you know, the Department is I'm sure it has been in talks with you, so you've known for a while that there's going to be this one year limitation.

How is it possible that you have fallen behind on your five year review knowing sort of what everything looked like since 2022? Like how do you fall behind on your next important step?

C. TALBOT: Yeah. I have to express some confusion over this. I don't know if there was a typo in our original submission, but there was never any problem internally, or no -- any confusion internally about our previous standard review taking place during the year 2020, and publishing those in the year January 1st of 2021, so as far as we've been concerned since I've been part of the organization, as I mentioned, since July of 2022, it's always been standard review in 2020, published in 2021, and

they are described as the 2021 standards.

And then from a process standpoint, we reviewed this year, five years later, for publication on January 1st of 2026. I can't speak to again, whether it was a typo, or a misunderstanding about 2019, as the year review versus 2020, but there's nobody internal to Middle States who thinks it should have happened in 2019.

J. BLUM: Okay That actually is helpful, so sorry. I know that you already said that, but now I'm connecting the dots for myself, so that's helpful thanks. I reserve it for now.

C. PRESSNELL: Roslyn, do you have any questions?

R. ARTIS: Just briefly. I want to revisit a couple of things. As it relates to sort of deleted emails and unrecoverable documents, did it occur to the Agency at any point to reach out to its member institutions to request copies of what they received? I mean it may be deleted on your end, but someone of your many members, should have been able to provide some documentation of what they received from your office?

C. TALBOT: That's a great question, and I don't believe we did that. Yeah, Dan's shaking his head no, so no, we didn't do that, but I'm happy to reach out to our members now.

R. ARTIS: Yeah, I would just be concerned that given the potential for limitation being placed, that I would probably leave notes unturned, and in that regard may I ask just for you to clarify what is -- I understand you have back-up protocols now, but what is your document retention policy as an organization?

Do you have any idea of how long you retain documents? What your policies are for back-ups?

C. TALBOT: Yeah. It's basically, you know, we have paper, you know, digitized versions of paper copies of everything I think that the Agency had in its archives. And going forward I'd have to consult the handbook. I'm not sure what our policy is, but it would be several years.

R. ARTIS: And I might suggest just clarifying those as we move forward, and then on the issue of, of course, feedback. It would appear to me that much of the solicitation is passive. Your feedback is welcome, not we need, and you mentioned being willing to accept some guidance.

I might suggest listening sessions on the new standards, and comparing them with the old, inviting your members to a Zoom to walk through the changes, and solicit feedback in that way. You also mentioned sort of an extensive

feedback group when we were talking about the process. Can you describe what that means? What that looks like for you?

C. TALBOT: Sure. So, at the time of the previous review -- Dan may be able to speak to this in more detail because it happened before I arrived, but my understanding is that we worked extensively with our Commissioners, 15 pilot schools, in other words, schools that were testing out those revised -- proposed revised standards, our advisory committees and our Middle States staff.

And, Dan, I'm not sure if there's anything else that you would add to that?

D. RUFO: No, just a little bit of detail, thank you. We began the process with the staff and the Executive Committee of the Commissions involved in the conversation, so when we birthed the essence of the new standards.

And then at our next staff meeting we started putting things on paper. We took the old standards, moved things around, removed redundancies, added in specificities and what not. And then by that point we brought in the Advisory Committee, and we presented the draft to the Advisory Committee.

The Advisory Committee provided their feedback, and that's when we -- that's about when we launched the survey

because these are starting to be the working documents. We then presented them to the Commissioners digitally ahead of the Commission meeting, excuse me, asking for feedback at the Commission meeting.

So that was the April -- I want to say that was April of 2020. Yeah, April of 2020. We went back during the summer; we finalized all of the feedback from both the Commissioners and the pilot schools. I didn't mention that, I'm sorry. When we launched the survey, we launched the pilot schools at that point too.

We brought all the feedback back, and then presented the final, what you see today, at the November Commission meeting.

R. ARTIS: And any changes being recommended going forward, proposed going forward, based on the conversation we're having right now?

C. TALBOT: Yeah, absolutely. I love your thought on listening sessions on Zoom, and we'd welcome other ideas about how to elicit and solicit participation, in addition to the notice and comment.

R. ARTIS: Certainly. It sounds as though your pilot may be a rich source of information to consider focus groups

that are well documented. Thank you. Those are all the questions I have at this time.

C. PRESSNELL: Thank you. Other members with questions for the Agency? Debbie?

D. COCHRANE: Hi. I want to pick up on some of the questions about feedback, and I'm trying to square a few things that I saw either in the materials, or the analysis or what I was hearing today. And the first thing I'll pick up on is this question of whose feedback is being solicited?

So, you know, the regulation requires kind of feed, providing, or giving notice to all of the agencies relevant constituencies, and other interested parties. There's a lot of discussion about institutions, and member institutions, that's repeatedly referenced in the materials.

There's also an invitation letter that is listed as one of the exhibits, and this was I believe an email that was sent from the Agency to who knows, to people, that says we are reaching out to several stakeholder groups for feedback, including accrediting agencies, faculty, administrators and others in our accredited institutions, and business representatives who employ MSA accredited school's alumni.

So okay, so now we have both there's the broad

language in the regulation. There's lots of references to accredited institutions. There's this invitation letter language that expands upon that to reference accrediting agencies and business representatives who employ alumni.

And now, in this conversation we're hearing a lot about pilot schools, we're hearing about committees, and I just I want to hear a little bit more about how the Agency thinks of the language and the regulations, which is all of the agencies, relevant constituencies, and other interested parties.

Like is the difference here, you know, the makeup of these committees that you're referencing? Just help me understand who you're trying to include?

C. TALBOT: That predated me. That's why I'm going to ask Dan to comment, but I believe that all of those stakeholder groups that you just recited are included in and among the various stakeholder groups that Dan and I have previously mentioned.

And Dan, I don't know if there's an additional gloss you would put on that?

DR. RUFO: That's correct, yeah, all of those were included.

C. TALBOT: So, in other words, just for

clarification, when we speak with our Commissioners, when we speak with our Advisory Committees, when we speak with the pilot schools, these are inclusive of not just member institutions, but a member institution often includes a business rep who might be employing an alum, or even alumni themselves in certain instances.

D. COCHRANE: Okay. I am not familiar with who is on your Advisory Committees, but I would, and as a suggestion, I would encourage you to think about how you might be able to bring in some of these constituencies on a more regular basis, contact information for every recognized accrediting agency is on the Department of Education's website, so that would be a good place to start.

Jenn mentioned, you know, knocking on the door of your next door, you know, next door neighbors, thinking about the places where your -- the students who graduate from your accredited institutions are transferring to. That would be another good source. I would also include state agencies, whether it's state approving agencies that are authorizing institutions to exist in their states, or you know, federal agencies that are using the fact of accreditation to deliver benefits to students, whether that's Visa services through Homeland Security, or VA benefits from Title 38.

I think you would really encourage you to think even more expansively, you know, both with respect to the accrediting agencies and other constituencies you are already saying you're thinking about, but also I think you need to go broader.

And on that note, I think when the Department is looking at this next, I would encourage them not just to look at what the language is, but also really to look at the recipient list for these emails to make sure that it truly is meeting the regulation's requirements.

I think my final point I would say with respect, and I would also offer in the suggestions realm, there's been a lot of talk about the web link and the use of the web link to solicit feedback. I did see the web link in the petition. I also spent a little time browsing the website, just to see if it was located anywhere else.

I couldn't find it anywhere else. The one place I did see it is on the part of the website, the Agency's website that is for institutions that are actually not accredited. So, if you go to how to become accredited, and you scrolled mostly to the bottom of the page, you see a how to apply link, and then you see a link that says what the standards are, and then underneath that in small font it

says we would like your feedback on what these standards are.

I think whether you're trying to get broad access, or even access amongst your member institutions, you're not going to get it from that page. So, you could add it basically almost anywhere else on the web page. You could add it to the member resources, so your member institutions would know how to go, or contact us as a mechanism for people who want to contact you about that.

Or even linked in the document where your standards are listed, so I think there's a lot of opportunity in the near term that I would encourage you to look through. Thank you.

C. TALBOT: Thank you. I appreciate all of that.

C. PRESSNELL: Thank you, Debbie. I've got Keith, Kathleen, David and then Jenn again, so Keith?

K. CURRY: I don't know if this is a question, but more so of a comment. Like I'm struggling with this Agency right now, and I'm struggling because I don't know if I want to say lack of internal controls. The emails bother me a lot, where just I don't understand how an agency does not have a policy or practice in place regarding email communications, and also maybe an exit memo from employees when they leave the organization, where things don't happen.

And that to me it just says there's something wrong within the organization regards to internal controls. That's one. And the second one that I have a concern with is the communication with the Department, and not understanding what has to be done over a certain period of time.

That is a concern for me. I think it's important as leadership within organizations to make sure that we have a clear understanding of what's happening regards to accreditation, and also the follow-up. And it shouldn't be something that we do not understand what was going on, and wasn't clarified.

And so, it's not a question. It's more so of my comments where I'm struggling because I think this could have been avoided if there were internal controls within an organization, but then also to the organization working closely with the Department of Education to really understand what needs to be done.

And I think this is problematic for the Agency. Not a question, just a comment.

C. TALBOT: I agree with everything you said, and we had to learn the lesson the hard way, and fortunately, we've fixed those weaknesses, but there was no two ways about it. We weren't doing what we needed to do.

C. PRESSNELL: Thank you, Keith. Kathleen?

K. ALIOTO: You know, we just heard from another Agency, and they were on top of the strategies that was necessary to get their students in and out successfully, and into the community. And I feel very uneasy with this presentation. This morning it was less uneasy before the presentation, that I am now, but I don't get a sense of your being totally on top of the operation as Dr. Curry just pointed out, so.

C. TALBOT: Are you asking specifically about the quality of students, and the quality of program graduating those students?

K. ALIOTO: Well, I'm talking about both, the quality of the program graduating the students or not graduating the students. What is the graduate -- I'm just trying to find it again, and the dashboard. What is the percentage of your students who graduate?

C. TALBOT: Yeah. Dan, do you want to speak to the 70/70/70 Rule that we adhere to?

D. RUFO: Sure. So, we have a requirement as part of our accreditation for any school looking to be Title IV approved, that they must meet what we call the 70/70/70 Rule. It flows down. The first 70 is that 70 percent of their students, their

enrolled students, within a year must be passing the course.

So, the next 70 percent must graduate from the coarse, passing obviously and graduating. 70 percent of their students must then be licensed if their program is required, or requiring license, and then 70 percent of those students must be gainfully employed, and the school must be able to present documentation for each of those things.

K. ALIOTO: Thank you.

C. PRESSNELL: All right, thank you, Kathleen. David?

D. EUBANKS: Thank you. My question is about review of the standards. What I've heard so far is sort of on the periphery, but it seems like you have direct evidence about the standards, and looking at statistics on which of the standards cause the most trouble for institutions to be accredited.

Do you track that, and is that part of this process?

C. TALBOT: Dan, do you want to speak to that?

D. RUFO: Yeah, sure. The answer, thank you David. The answer to your question is, yes, we absolutely do. The general answer -- I don't have the detail in front of me, but the general answer is two-fold. The first, the standards that give the schools the hardest time are individualized to every school. So, as

an example, if we have a school that has an online component, the facilities, part of the resources standard kind of gives them a little problematic, and we talked through that.

The 1.5 of that is the requirement what we call Title IV addendum, and that is the 70/70/70 rule that we usually give schools the hardest time. And if the schools are not meeting those thresholds, we give them what is called a monitoring issue, in which case they have three and a half years to rectify the situation, bring their number above 70.

And that is where the second piece comes in. We as an Agency, Katie in particular, we work with the schools diligently to make sure that they not only understand the standard, but understand how they meet the standard, how that's individualized to them, and then we help them build that plan to bring it up to solve the monitoring issue, to bring up the threshold.

D. EUBANKS: Thank you. I asked the last Agency about rates, since you mentioned graduation rates. It would be pressure on any programmers to graduate students which seems in studies to encourage the inflation of grades. And you have a comprehensive assessment standard. I'll ask the same question I did before. Do you link that to grades and graduation rates?

D. RUFO: To a point, yes. The grades -- we're very holistic, so the grades are a metric in checking the graduation rate, but what we actually do is coordinate that with the licensing rate. So, since the licensing tests are an external assessment, there's success on that test matched to their graduation ability, plus the grades, plus their practical nature, and their responses to their -- any kind of practical application of what they find.

D. EUBANKS: So, if I understand correctly, you're essentially corelating the grades of getting courses against the standardized tests to see -- to make sure that the grades aren't being inflated?

D. RUFO: Correct.

D. EUBANKS: Great, wow. That's impressive. And, you know, I think if we asked agencies similar years which standard gives them the most trouble, it might be credentials up at the top of the list, it would certainly -- would be the assessment standard. Is that one you've got? Oh, I think this is T-3 if I've got your nomenclature right, and you've got 17 sub-parts to that.

It looks like an awful lot. It looks expensive, and it looks like it's hard to comply with. Is this not at the top of the list?

D. RUFO: It is -- to be completely honest with you, I would say, no, it's not at the top of the list because this is where

that individualization comes in. The schools can meet the indicators by specifically saying these are the things we do to assess our students.

And we apply, we help them apply, and then our visiting team validates whether or not their answer is meeting the indicators. So, yes, it would be hard if you read it word for word, and you went through exactly pinpointing do we do this, do we do this, do we do this?

But if you look at the essence of the key concept, and go from there, that's where the school is really able to shine actually.

C. TALBOT: So, for example, I think, David, your question, and this is one of the unique things about career technical schools. They tend to be competency based, and mastery based, and so some may have grades, some may not. Some may have to create a translation system for a mastery based approach into a grade system in order to, you know, comply with that sort of requirement.

But for us, the proof is in the pudding, and actually for these owners of these schools, you know, if their kids are getting licensed, and getting placed in jobs, it doesn't matter what grades they give them.

D. EUBANKS: Great, thank you. I guess, just a final comment. I think there's a certain irony in your standard T3, and then it's describing in great detail how programs evaluate and improve themselves. It's got stuff about technology and maintenance, records, and outcomes and all that. It seems like that would be a good template for your standards review. Thank you, Mr. Chairman.

C. PRESSNELL: You bet. Thank you, David. All right. Jenn?

J. BLUM: Yeah. So, when Debbie was talking it reminded me that I had another comment/question, but first I just want to say -- put a finer point, an exclamation point on what Debbie said about constituents because students need to be the constituents, and so you're not emailing to students.

I mean I assume you don't have that data, so then that leads me to the question that I had forgotten to ask earlier. So, the links, and Debbie sort of touched on this already, but the links are to the survey is somewhat not just quite available to what I'll call the general public as constituents or students, as constituents.

But the -- so that's all, you know, a problem that she noted. The survey itself appears static, which was one of the reasons that I have to say I was immediately concerned by using

this particular survey as the sort of evidence that you were meeting the solicitation of comment and involvement on your standards.

Because the survey itself, and I don't have any evidence of this, but it looks like a very sort of just set survey that's not asking questions specifically to like, oh, we're updating this, or we're updating -- so, is the -- when was the last time the survey actually was updated itself?

Do you update the survey questions regularly based on what's going on in sort of with your Agency, and externally through regulation and such?

C. TALBOT: I reviewed the survey before it was sent out most recently. I don't know whether it changed from pre-July 2022 how much, Dan, if you have any sense of that?

D. RUFO: So, additionally, any kind of survey that we have done with standard reviews has been static because we only do major updates unless required similar to what we're going to be looking at now. But we only really do updates based on the existing standards.

So, in 2016, we did a survey based on the 2016 standards. In 2020, we did for about 2015 for the 2016. 2020 for the 2021 standards, you looked at the survey, and then the survey will be updated this summer based on requirements for the 2025

review and 2026 standards.

J. BLUM: So, you asked for a recommendation, so I'll provide another one. When you're sending out, and again, I would say I see this with a number of the sort of institutional accreditors, just in general, when they send out through the notice that they are seeking review of their standards, they often will provide context around why they're seeking comments.

It's not just a, you know, it's not just -- well, it's not just a survey, but it's also just not random. It's we need to hear back on the following changes. So, I just think that being specific about what it is that you're looking for provokes actually interest on the part of parties to respond.

It's its own form of I think encouraging replies, so.

C. TALBOT: Yeah, thank you also.

C. PRESSNELL: All right. Very good. Any other questions from the Committee. All right, very good. We do have a third-party comment. We will after third party, so we have Ed Conroy. Is Ed available?

Z. ELLIS: Sorry, but before the third-party comment could I?

C. PRESSNELL: Oh, yeah, sure.

Z. ELLIS: Sorry, I couldn't raise my hand.

C. PRESSNELL: Thank you.

Z. ELLIS: Apologies. I won't be too long, but I appreciate the conversation that we've had about the substantive issues that the staff found, and the challenges there. I do want to ask a question about something that may come up in our policy discussion later, and in looking at your standards, which I understand are under review so they may change.

But the standard T1, which is about the indicators of quality for educational program in teaching and learning based on appropriate content of written curriculum aligned with generally accepted learning standards. There is a piece here that talks about the program, including experiences to promote global awareness and anti-racism, as well as an understanding of diverse cultures, power and lifestyles.

And so, to the extent that this is a part of the standards that you have now that have been reviewed, and that extensively, you know, you'll get feedback on in the future, but it is part of what you see as equality. I'm wondering if there is efforts to require that people not explicitly talk about racism, or diversity, or global awareness. Would that impede your ability to offer a high-quality review process as you see it now?

C. TALBOT: Yeah. That's a tremendous question.

And my short answer is no. I don't think it will impede our process at all, and the reason I say that is because as I mentioned earlier, we have about 3,000 other members, actually more like 3,100 other members, including roughly 500 or 600 of them who are in countries outside of the United States.

And so, the standards and the indicators that you've been looking at apply to all of those institutions. And as you can imagine, cultural context matters tremendously in the way that a school completes its self-study, and the visiting team will make sense of the evidence that they've provided.

And so, the indicator that you read means something different in Dubai than it means in Namibia, that it means in Milan, that it means in New York City. And what we do is first of all, in the self-study process, we have our staff who work with schools to kind of guide them through the work of making sense of those indicators, and then seeing where their own institutional evidence matches.

And then for the visiting teams that we of course do trainings with the Chairs and the visiting team members to help them to appreciate that. Cultural context will shape the way in which they respond to those questions.

Z. ELLIS: Thank you. I guess my question is

actually the ability to look at the cultural context and to look at those issues no matter where they are is something that you think is important, and you would want it continued moving forward?

C. TALBOT: Yes. And so, one of the things that we do separate from our career and technical schools work is we have a special partnership with the State Department's Office of Oversea Schools, and so we actually just met with them yesterday to talk through the Executive Order 14173, and the implication for the assistant schools by State Department.

And thinking about the specific language we use, it's impossible for me to predict exactly how we might tweak our language to make it, pardon the pun, more inclusive, and sort of useful for schools around the world, but particularly schools where Embassy employees are sending their children.

But that's on our radar, and it will be part of the review for sure, but we'll probably actually do some slight modifications even before the review of the standards just so that all of our institutions around the world, you know, the ones that are responsible to the United States anyway, feel confident that they are not in violation of any federal statute.

Z. ELLIS: Thank you. This is helpful as we kind of consider these issues in the policy discussion, so appreciate your

response.

C. PRESSNELL: Thank you, Zakiya. So, Mr. Conroy? All right. Thank you. Mr. Conroy, you'll have three minutes, and so don't be offended if I cut you off, and your three minutes begins now.

E. CONROY: Thank you so much. My name is Dr. Edward Conroy, and I'm a Senior Policy Manager with the America's Higher Education Team. As you've heard today with the staff report indicates the Middle States Secondary is still not in compliance with standards identified as issues in 2022, and the staff recommended the Agency should be limited from accrediting any new schools until it can demonstrate compliance.

We agree with that staff report. It's highly unusual for an Agency to fail to demonstrate compliance within 12 months on its recognition, particularly in light of process issues like this. Additionally, though, we believe there are other reasons to limit the Agency.

According to the Accreditor Dashboard data, Middle States Secondary is rapidly expanding the number and type of schools it accredits. The Department report fails to completely capture this, citing the same number of institutions accredited in 2021, and in the current report.

In '21, according to the accreditor dashboards, the Agency accredited 21 Title IV eligible schools, 13 of those were public, 3 were private non-profit, and 5 were for-profit. Middle States Secondary now accredits 37 Title IV eligible institutions according to the dashboard. The majority of the new institutions are private for-profit schools.

In addition, the Agency has 30 more candidate schools for accreditation, most of which appear to be for-profit institutions. The addition of so many new for-profit schools, particularly in its Title IV portfolio, is a significant shift in the Agency's focus without it seeming to have added many, if any, stopped to provide the expertise needed to effectively oversee these newly accredited schools.

Many Middle State Secondary staff appear to be highly knowledgeable in secondary education, but that does not mean they have the expertise to adequately oversee for-profit of secondary programs in areas like aviation and cosmetology. We realize the accreditors use volunteers from institutions, from parent institutions, to help conduct accreditation visits, but it's also required under 602.17 that the Agency must have effective mechanisms for evaluating an institutional program's compliance with the Agency standards.

It's really hard to see how an Agency with limited experience overseeing these types of institutions can do so effectively. Limiting Middle States Secondary's ability to accredit any additional institutions is a wise move until it comes into compliance with basic requirements to seek public input from members. 12 months should be enough time to do this.

I think you should also recommend the Department closely examine whether the Agency has the needed expertise on staff, and amongst its volunteers to effectively oversee the new institutions that it's bringing in. The call of an accrediting new institutions will perhaps provide the Agency with time to ensure its staff and volunteers have the needed expertise in the fields of cosmetology, aviation, for-profit education its rapidly expanded into.

And I have to add that the answers provided today do not suggest that -- do not give me assurance that the Agency does have the expertise to be overseeing a large expansion of postsecondary institutions. It's clear there is a lot of work to be done in figuring out their internal processes, and maybe gaining additional access.

C. PRESSNELL: Thank you, Dr. Conroy. I appreciate your comments very much, and so we'll give an

opportunity for the Agency to respond to those comments.

C. TALBOT: Thank you. Katie Facemire is with us today because as we were expanding the number of current technical schools seeking accreditation with us, we had a dedicated hire, so she's been brought on full-time, specifically for the purpose of serving that expanded scope.

And Dan, anything that you would add to the question?

D. RUFO: No, other than the fact that a traditional portfolio for an AVP, for Associate Vice President, is 300 to 400 schools. Katie is responsible for all of the Title IV CT schools. I myself am a 10 year veteran with Middle States, and I've been working with all types of schools but CT prior to Katie's arrival, so with the understanding of the ratios and what not, two people is currently totally sufficient with those numbers.

C. PRESSNELL: All right. Thank you very much. Bob?

R. SHIREMAN: Thank you, yeah. I wanted to follow-up on Dr. Conroy's question and your response. Is there -- are you aware of any explanation for why the rapid growth over the last couple of years? Was there a particular marketing effort or something by your Agency to expand?

And I did notice that there are some schools that are switching accreditors away from, for example, some cosmetology schools that had been accredited by the Agency that has tended to specialize in cosmetology, but then are coming over to your Agency. Do you have a sense of why the switches are occurring?

C. TALBOT: Yeah, great question. And I think you've answered your own question. We've haven't done any additional marketing. The permission to seek a different accreditor, or I should say not the permission, but the relaxing of rules around seeking other accreditor I think have encouraged many of those cosmetology schools to look elsewhere.

It seems that we are substantially less expensive, and that's a significant consideration for small cosmetology schools in particular. And Dan, anything you would add to that?

D. RUFO: Yeah. The expansion of our region to the United States. We didn't do any marketing, other than the fact that we started saying that now we're available throughout the United States. Schools started finding us on searches, on the AP site, having the region expanded.

And in particular, I've heard from a number of cosmetology schools, since you used that example, that their previous accreditor required them to stay within certain boundaries

with the courses they could offer. And a number of the cosmetology schools wanted to expand their course offerings, and since we did not specialize, or you know, we do not specialize in cosmetology, and we work with a number of different kinds of programs, the option to come to us allowed them to expand their own programs.

R. SHIREMAN: You mentioned that you're less expensive than some of the other accreditors. How does that translate into resources for you to do the oversight, especially given that it sounds like some of the schools are expanding the things they're -- it seems like you have more oversight to do over more topic areas, but less resources to do it?

C. TALBOT: No. I would say that the number of schools that Katie and Dan, in particular, are responsible for overseeing is very modest, very small. There are other people on staff who also help, and we hired Katie, as I said earlier, with the expectation that this would be a growing segment of membership for us.

As Dan noted, the dropping of the regional restrictions in I think 2017, you know, obviously was the beginning silo in that movement, and I would say we're extremely well resourced.

R. SHIREMAN: Thank you.

C. PRESSNELL: All right, very good. Seeing no further questions here, Beth, would you like to respond to the third-party comment and the Agency?

E. DAGGETT: Yes. Hopefully, I might be able to answer some questions, pre-emptively. First, I just want to say that I wish that I had heard better information from the Agency, as I think maybe a lot of the people around the table. My first concern is that it seemed a little bit of reasons why you didn't provide the information that was necessary was a bit of a blame on your interactions with Karmon.

And I would just want to note that she did update, and included information that you provided to her, the emails that were there, and other documentation that you provided. So, she did provide that information, and there was still noncompliance issues. I also want to note, and to go to the 2019 issue, that's one of the minutes that you updated.

You provided a couple sets of minutes that were from 2019 to discuss the standards issue, so I believe that that's where that data came from. I want to note that if you do go back to the transcript from 2022, that you know, today there's a little bit, and also within the report, blaming on Dr. Moore, and back in

2022, he was blaming it on the prior President.

So, it does seem like there's some continuing of the blame going on. I did also want to say a couple other things. One is that as been noted by the Agency that, you know, they do have, you know, they have self said that they have over like 3,100 other, you know, secondary and elementary schools, and that their portfolio of career in tech is, you know, below, like around 60 I believe.

That it's possible that part of the reasons some of this is not being met is that the priority and the review isn't on those, you know, much lower numbers. And as the commentor stated about the Title IV, and the responsibilities to review there, I think that that's a, you know, another reason why I think he expressed, another reason for our limitation is noting that they have been adding others, and perhaps that the inability to meet the regulations as they are now doesn't bode well for, you know, being on the table to add to the institutions that they already accredit.

Two more things. First if all, one thing is that I heard, you know, Dr. Talbot talk about that he learned the lesson the hard way, but you know, listening to NACIQI ask all the questions and providing all of the recommendations on how to do things, and that these are -- seem to be the first time that they're

hearing them is of great concern that there wasn't a thought of why don't I go back and ask the institutions for the emails they might have received?

Why don't we look at different ways of asking for that information? Why don't we look at different ways of posting it on our website? These all seem like these were new and novel today. And then lastly, I just want to say that it's also not clear, even based on the process that you stated at the beginning, and that there would -- you talked about that you would send out a notice in May before schools were to go for any notice and comment.

And you said that, and maybe it's just you missed one part, but then you said that the Commission would then review and approve the standards in November. But there wasn't any discussion of -- and you said that the standards would be developed over the summer.

But there was no discussion of between the standards, the proposed standard were developed, that then it would go back out to not just institutions, as you know, Debbie and Jennifer have said, but to your communities of interest to then provide comments on those proposed standards before they go to the Commission, to then have, you know, to then have opportunity to review those comments, prior to implementing the standards.

So, those are some of the issues that I noticed during the discussion. I'm happy to answer any other questions that anybody on the Committee has.

C. PRESSNELL: Yeah.

G. RANSDELL: Mr. Chairman?

C. PRESSNELL: Yeah, Gary? Go ahead

G. RANSDELL: Just a point of clarification, and perhaps this is part of my learning curve, but Dr. Conroy's third-party comment suggested some expansion into the postsecondary arena, if you will, and since there is a Middle States Commission on Postsecondary Institutions, I'm just curious, is that a normal process for a Commission on Secondary Schools to expand into a postsecondary review process?

Is that normal, or is that unusual, and it seems to be a rather rapid expansion. So, I don't know if this is meant for you, or others on the Committee, or the staff, but I'm just curious to get some clarification on that process.

E. DAGGETT: Well, happy to have you here, Dr. Ransdell. Happy to see you this time.

G. RANSDELL: Thank you.

E. DAGGETT: So we had technical difficulties previously. So, just to go back to the scope of recognition, so the

only way that this Commission, the Middle States Secondary can come before NACIQI is that we're only looking at postsecondary activities, so they have had postsecondary activities, which is why they're able to come before NACIQI, and to look specifically at their scope of recognition.

It's postsecondary, non-degree granting career and technology programs, so they don't overlap with Middle States higher ed, and they have a different scope of recognition.

G. RANSDELL: 10-4, understood, okay. Thank you.

E. DAGGETT: It doesn't have to be Title IV purposes, yes.

G. RANSDELL: Got it, thanks.

C. PRESSNELL: Okay, Jenn?

J. BLUM: Yeah. So you did answer one of my questions, the one about Karmon, but I do have other ones. So, I have so, this issue of record retention. Is there separate and apart from the regulations -- from the provisions cited, are there federal regulations around record retention? I know in the institutional realm, institutions need to keep records in case there are program reviews, or whatever, but I can't remember if there are record retention requirements for accrediting agencies for a certain period

of time? And so, sorry to put you on the spot, but?

E. DAGGETT: No. That's not a problem. I know exactly where that is. That's an easy question. It is 602.15(b), which is our record retention, but it doesn't relate to like emails, or something like a survey that might go out. What it relates to is that they have to have the last full accreditation or pre-accreditation review of each institution or program, all the reports, and all the things associated with that.

And then they must keep all decision letters regarding any accreditation or pre-accreditation of an institutional program and any substantive changes, so it doesn't relate to.

J. BLUM: Add it to the policy list because it strikes me that an agency that's coming before us ought to be required to retain records as it relates to its own processes, not just its processes of reviewing its institutions, so we will add that to the list.

So, we can't add it. I was thinking we would add an additional -- I mean I don't know if that's even permissible, but I, in my brain, I was thinking oh, there might be an additional citation here, but it doesn't seem like it's applicable, so we won't do that, but I do think --

E. DAGGETT: Just really quick, there aren't

actually citations because we just have -- I mean we have a limitation about those particular areas. I guess you could add to those areas for the limitations.

J. BLUM: Exactly.

E. DAGGETT: Okay.

J. BLUM: That's what I was thinking.

E. DAGGETT: Okay.

J. BLUM: But it doesn't matter. It's moot because it doesn't apply.

E. DAGGETT: Correct.

J. BLUM: The right one does, so it's all moot. So, I do have another question, which relates both again to this Agency, but then I do want to contextualize in a broader realm when we're reviewing. So, I think the issue here is really actually an interesting one.

They would say, I'm not sure that it's true, but they would say that they did have a process for seeking information, or input from their constituents. They, I think, were relying on their surveys. I'm not sure that's accurate, but let's just say for a second that that was enough. If you don't get -- like if you, any agency, if you set out notice and comment, or you have a really robust survey mechanism where you actually are encouraging feedback, and you

none, or you get minimal amounts, that's not like -- would that be a compliance issue?

So, if in your own words, I guess, Beth, other than just the very literal reading of the regs, where did they fall down? Did they fall down on not having the appropriate process for receiving feedback, or was it that they didn't get any participation? Do you see the distinction?

I just want to make sure that we don't trip over ourselves in the future with other agencies.

E. DAGGETT: I would say it wasn't solely related on like that they didn't get any. It wasn't that they didn't get any. It was more that the review of standards requires us going back more towards what you and Debbie had said. First of all, it was only institutions. There wasn't any indication that it had gone beyond that.

They did, you know, describe some of their process here, but there wasn't anything that had gone beyond that. Second, is that they didn't even have documentation. It's not that survey. You know, there wasn't even documentation they did what they said that they were going to do, so I think that that was the more important issue, but I think that all of you have brought up other, you know, the important issues of like who are the constituencies?

Who should they be getting it from, and are they doing it in a manner that would actually allow them to get comments, you know, it kind of all goes together.

J. BLUM: Okay. No, that's helpful. Thank you.

C. PRESSNELL: Kathleen then Debbie.

K. ALIOTO: Do you like to be called Beth or Elizabeth?

E. DAGGETT: Beth please.

K. ALIOTO: Beth. Beth, I guess that's part of the going into your new role, I'm feeling so uneasy about this. I understand that you're restricted by the rules to just deal with what was asked, but I'm so uneasy about this Agency that is the 56 million dollars is going to the institutions, and i.e. for students.

What is your feeling about allowing them to continue as an Agency? I get so -- I just feel very uneasy about what the responses have been.

E. DAGGETT: I would say that I don't feel better after our discussion.

K. ALIOTO: Well, what recommendation do you have for NACIQI?

E. DAGGETT: I don't have my own personal recommendation. I have the recommendation that the staff has put

forward based off of the record, which is to impose the limitation.

K. ALIOTO: But not a greater limitation?

E. DAGGETT: I mean NACIQI is free to make their own recommendation to the Senior Department Official, and you could go beyond that limitation, or seek whatever action, or make a suggestion that you want.

` K. ALIOTO: Thank you.

C. PRESSNELL: Beth, just real quick, when are they up for full?

E. DAGGETT: They are up two years in the summer, so summer of 2027.

C. PRESSNELL: And they need to have things submitted by?

E. DAGGETT: This summer of 2025.

C. PRESSNELL: So, they're going to go under complete review this summer, or they're going to have to have materials submitted.

E. DAGGETT: They have to submit everything this summer, yes.

C. PRESSNELL: Yeah. Debbie?

D. COCHRANE: This is I guess sort of a follow-up on that question as well as my earlier question about the

distinctions of limitation, suspension and termination. Could you just give us a sense? I don't think I've been on NACIQI when another limitation has been placed. What other kinds of limitations has the Department placed on these recognized agencies, or could the Department place on a recognized agency?

E. DAGGETT: There isn't a limitation on the limitation. You could, you know, whatever you were to feel like would be appropriate to address whatever the issues are. We have the one that I can think of is we did have one for another agency that was expanding their scope.

They wanted to expand their scope to include the review of baccalaureate degrees, but they were not successful at demonstrating that they had done a good job about that, so we put a limitation in that we only allowed the baccalaureate degrees that were currently recognized, I'm sorry, currently accredited by the Agency to be included in their recognition until they could demonstrate that they had the processes and procedures to do an adequate review.

And the reason we put that limitation on was because we didn't want to hurt the students. The students were at these institutions seeking bachelor's degrees, and if we were to remove them from the scope, then they would not be eligible for

the Title IV funding, so we were trying to protect students.

So, I think that that's really what we try to think of as trying to protect students, and how is the best way to do that going forward when we're trying to come up with our differentiations for those. Are there -- is it -- is the best course of actions for students to remove the recognition, and then affect those students that would then, you know, they would have -- institutions would have 18 months to find a new accrediting agency.

Or is it better to do a limitation where we feel like that might solve, help them notice the egregiousness of issues that might be out there, and solve the issue without, you know, going towards the termination.

D. COCHRANE: Thank you.

C. PRESSNELL: Jenn?

J. BLUM: Well, from a process standpoint, this isn't a question for Beth, so if we move, I'm happy to wait and go because we're going to have conversation on adjusting motions and all that right?

C. PRESSNELL: Yeah, so we in the discussion.

J. BLUM: My thing could be for that purpose.

C. PRESSNELL: Okay.

J. BLUM: If that's what we want to do.

C. PRESSNELL: I think we're there. Yeah. I think we're there. So, after her comment on the Agency's report, and the third-party comments, it moves to discussion and votes, so Jenn?

J. BLUM: Okay. So, I --

C. PRESSNELL: Do you want to put a motion forward, or do you want to have just some discussion first before you put in a motion?

J. BLUM: So this is part -- so, this would lead to an adjustment of their limitation.

C. PRESSNELL: Okay.

J. BLUM: So, to answer, or not to answer, but to add perhaps to what Debbie was saying. I do have a suggested additional limitation, which is to limit, or two, to say, and I don't know if we can do this because they're about to be up in two and a half years, but could we limit their ability to expand their own scope in any way?

And then secondly, I would, and the one I feel more certain about is I would limit their ability to review substantive changes of their institutions for the interim. And doing those two things, I think, you know, in fact in my view what it would do is have them focus on two things.

One is their day job, which is just keeping the accreditation of their institutions ongoing because we want to, as Beth said, we want to protect the students, so you know, they would still do their day job of, you know, when the institution is up they would be able to reaccredit, you know, review, and renewal the accreditation of institutions.

And then, to focus on the issues that we've -- because they seem like minor issues, but they're not minor issues. And to me it might smell of other process problems that we just don't know about, so and it would focus them on the next two years. So, that was the -- and yeah, I guess there is maybe a question for Beth, is did you think about limiting their ability to do sub-changes for their institutions?

E. DAGGETT: I don't think we did. Well, first let me go to the expansion of the scope. I don't think that you -- I would just I'm not -- I don't think that you would need to do that because in order for them to expand their scope they have to come before NACIQI, so that's not something that they can do on their own, so I don't know if you need to include that.

We did not look at the substantive change. Honestly, we are aware of the fact that there have been institutions moving towards Middle State Secondary, and we thought that the

limitation on, you know, them being able to add any more institutions, we thought that that would be sufficient, you know, based on the written record, that's the recommendation that we made.

So, we did not look at the substantive change, limiting substantive change option.

J. BLUM: Well, they actually said that some of the institutions that are coming to them want to potentially expand their own scopes, and so that's why I was wondering whether a sub-change limitation would focus, and again, the intention is not -- I mean obviously it is a punitive action.

But the idea would be to focus the Agency on what the tasks at hand are, and righting the ship before sort of broadening out further on Title IV. So that's the thought. It's just a thought. It came to my head. I'm not, while I certainly have said it, I'm not going to sit here and advocate strongly if others don't agree. It's really just to follow-up on what Debbie, she got me thinking again, so.

C. PRESSNELL: Well, and just you know, to clarify. So basically the current recommendation would freeze them in terms of new institutions. There can be no new institutional recognition. What you're also suggesting is that

existing institutions also cannot expand, so in other words, kind of freezes the operation if you will, at where they are in terms of recognition scope, and allows them to focus in your words, on the task at hand.

With the idea that come this July, they're going to have to have their materials all submitted, and if there's not a compliance, then the next review here is going to be a bad review, you know, at that point. I just remember ACICS, and I do appreciate the sensitivity to students.

We want to make sure the accreditor is spot on, high quality, absolutely for sure. But once you remove recognition, then you have institutions scrambling to see whether or not there's another possibility within that area, and then you also have, you know, student, you know, potential student damage.

So, I think what you're suggesting is a pretty good compromise.

J. BLUM: Yeah. And I want to be really clear. I don't advocate for termination at this time, and there's a really specific reason for that that I was thinking about earlier, and so I'm glad you just said that.

The reason I'm not is that unlike other agencies where termination has happened, we actually don't -- it doesn't

mean it doesn't exist, but they're not -- the problems before us related to their processes about how they conduct themselves with regard to their own standards.

We're not seeing evidence of school problems. Now, that doesn't mean, again, that they don't exist necessarily, but that's not what's before us today. And so, I'm hypersensitive actually to your point, Claude, about the students because we're actually not seeing that there are students in jeopardy right now, which is I think a really -- and I'll say something complimentary.

The hiring of a full-time person to deal with, I think it was 37 Title IV institutions, so there's that actual ratio I think is better than a lot of the formerly known as regional institutions in terms of how many institutions are covered by one person. So, it does seem like they have resources.

C. PRESSNELL: Okay, I don't know who -- okay, Keith?

K. CURRY: Claude, can you repeat the statement about the current schools that you mentioned?

C. PRESSNELL: Well, basically what Jenn is proposing here is that already in the recommendation is it freezes their ability to recognize any additional institutions. If you also stop any substantive change reviews of an existing institution, it

also keeps them at their same scope as well if you will.

K. CURRY: I want a clarification on that. So, let's say they have a substantive change that was submitted before today. So what would happen in that situation?

E. DAGGETT: Well, nothing would happen today.

K. CURRY: No, no. No, I'm talking with regards to the motion?

E. DAGGETT: Yeah, no. Because this is a recommendation.

K. CURRY: Yeah.

E. DAGGETT: So, nothing like until there were to be a decision by the Senior Department Official, then that's when any limitation would go into effect.

K. CURRY: So it would probably get through the summer, right? Thank you.

C. PRESSNELL: Debbie?

D. COCHRANE: I think my comment is also about how such a requirement, and separate from the merits of the idea of such a requirement, how it would be operationalized, and whether I'm thinking if a school is on leased facilities, and loses their lease and needs to move, would it be practical to tell the school?

And actually, to be honest, I'm a lot more familiar with state level rules on substantive changes, but do changes of the location might be an issue, changes in licensure programs with program hours, those types of programs are influx throughout the country given changing state roles, giving evolving federal terms.

So, I just want to make sure if we are going to -- we couldn't ask, we should not try to impose a limitation that is actually not workable for the institutions because it would put them at odds with state law and accreditation.

C. PRESSNELL: Beth, would you want to respond to that, and then Jenn as well?

E. DAGGETT: Just as a clarification. I mean you can limit. You don't have to say all sub-changes; you could say a certain type. One of the sub-change areas we require is a sub-change would be the addition of programs that represent a significant departure from existing program offerings, or educational programs, or a method of delivery from those that were offered, and used when the Agency last evaluated the institution.

So, you know, it's sounds to me based on what Jenn had said earlier, of you know, that might be if somebody -- if an institution for cosmetology was moving to Middle States, and then

wanted to move into phlebotomy, that might be something, you know, that would be a program that represents a significant departure, so you may want to think about not just saying all sub-changes, but if there was a specific type of sub-changes you were thinking of that you could do that.

J. BLUM: Debbie, I really appreciate that comment because you're totally right. I haven't really thought about the license. I mean the minute you said licensure. That's like a big one because they we want schools to stay up to date and current with those requirements.

So, I think the idea of the growth, limiting the growth as it relates to programs, type professions is I think -- I don't want to have to read that motion though.

C. PRESSNELL: So, I've got Kathleen and Roslyn. Your mic please.

K. ALIOTO: Pretty much answered my question, but what if the changes involve improving the achievement of students? What if?

C. PRESSNELL: I think we're leaning more toward programmatic expansion.

K. ALIOTO: That's how you're defining?

C. PRESSNELL: Substantive change, and we

would cite what Beth read from the statute.

K. ALIOTO: Okay. Well, Deborah's question really opened up this other area, so thank you Deborah.

C. PRESSNELL: Roslyn?

R. ARTIS: So, rather than engage in what if, or which kinds or qualifying, I'm just going to explain some of my opposition to the expansion on the recommendation. I think it is punitive, and not directly related to the source of the problem. It is an administrative problem, in terms of soliciting feedback and some of those kinds of things, and you're hindering the institutions that have membership.

I think when you limit their flexibility -- so we're sort of punishing the institutions for some administrative challenges that we're sanctioning anyway, by limiting them from expanding, right? So, you're limiting the options of the existing institutions, which works a detriment on those institutions. Potentially, we're punishing the wrong person by expanding to include sanctioning.

And so, while I certainly support the substance of the recommendation as it relates to limitations on the growth of the organization, I do not support the addition, which limits the growth of the institutional members.

C. PRESSNELL: Very good, thank you. Jenn?

J. BLUM: So, this is why I put it out there for conversations around. Roslyn, you make a really good point too. I will say, and I understand your point. I think I'm digesting it. Part of the problem here is that, and I want to be careful about the institutions, but it feels like the institutions that are accredited by this Agency are a bit stagnant themselves in that they're not inputting.

Now, again, they're not being as perhaps solicited in the way that they should be, but it also seems like they might be somewhat inactive in their own accreditation realm, and so I'm -- and it is a peer review process. This is the whole system is based on peers, and so, while I understand your concern, I'm not -- I need to digest whether I share that concern, given that they have now, and let me just expand on this.

So, almost three years ago their Agency, these institutions' Agency, found out that they had a compliance problem. And then, again, not saying that they were solicited in the way they should have been, but there were some efforts. We do know that there were some efforts by the agencies, and the institutions didn't reply, and didn't input.

So, I'm not sure that I'm actually sort of okay with

the idea that they, just as it relates to their own expansion of programs. I like the idea of limiting the limit on those sub-change. I'm not sure that I mind that the institutions. I supposed that they now will respond when they are requesting input for the re-accreditation process, and for their standards.

I think the institutions might engage.

R. ARTIS: So, first and foremost, I think there's some disagreement about whether they did or didn't. We just apparently don't seem to have the email trail or the documentation, so we are imposing a punishment on institutions based on pre-supposition that they failed in some way.

And I don't know that we can validate that based on a series of deleted emails. And secondly, I'm not sure we're going to be sending the message we're intending to send, you know, shame on you for not providing feedback, now you can't grow your programs, you can do a substantive change. I don't know that our scope is to punish institutions directly for their lack of participation in the process.

I think we're overreaching just a little bit on it.

C. PRESSNELL: All right. Thank you Roslyn. Other comments? Questions? All right. So, Jenn, Roslyn, we need -- we really could use a recommendation, a motion please,

and so, you two?

R. ARTIS: I guess this is my punishment for not being there.

C. PRESSNELL: I'm sorry?

R. ARTIS: I said I guess this is my punishment for not being there, right?

C. PRESSNELL: Yeah. So, we do need a motion, and so it sounds like we either stay with the staff recommendation, which has certain limitations already in it that are directed toward the Agency, not the institutions, or possibly add an additional limitation that would be a limitation on the institutions. And Roslyn's point is well taken.

So, you two are Primary on this, and so if you would like to discuss further, or?

J. BLUM: No. I'll pull back and keep with the -- and if somebody else wants to add the motion, we can consider, you know, adding right, because that's the process. Somebody else, I'm going to move, and then somebody else can add to it if they want.

Can I ask Beth one more question, sorry, before we. Am I correct that my recollection is that at any time in the next two and a half years, the Secretary were to see an issue with this

Agency, they do have -- the Department has the authority to take LS and T's without -- you don't, but the Secretary, so I know -- no?

E. DAGGETT: There's no other ability to pull like if there were to be something? No. I mean there is a review process, which is in 602.33, but if we foresee something else we could do a separate review.

J. BLUM: Okay.

E. DAGGETT: But it's still coming before NACIQI and going to the SDO. The only time that the Department could make decisions is if there was not a NACIQI constituted at some point, so, now, now.

J. BLUM: Okay, got it.

C. PRESSNELL: So, you got me all -- now I'm confused on what I was going to ask. Thank you very much, you know, for that one. Art?

A. KEISER: Claude, I haven't figured out how to raise my hand, but I would support Roslyn's position. I think affecting an institution's ability just to change locations could be devastating to the institution only because the Agency found that its paperwork requirements, so I would support Roslyn's and the staff recommendation.

C. PRESSNELL: Great. Yeah, thanks Art. And

also, just as a reminder, I know the Committee members know this, but the full transcript is given to the SDO, so they -- the SDO will see our deliberations on that, so thanks Art. Bob?

R. SHIREMAN: That's what I was going to say. We can encourage. I won't be making an addition, but it does seem worth the SDO considering the idea of expanding, and thinking about some of the different areas that might make sense.

C. PRESSNELL: Very good. And we have recently allowed that after you vote, you can make a comment to that effect, and so when they see the vote tally the SDO can review that. Jenn?

J. BLUM: I'm ready to move.

C. PRESSNELL: Sounds great to me. All right.

J. BLUM: I move that NACIQI recommend that the Senior Department Official accept all of the recommendations of the final staff report for the Middle States Commission on Secondary Schools.

R. ARTIS: Second.

C. PRESSNELL: Very good. We have a motion, and Roslyn seconds.

R. ARTIS: I did indeed.

C. PRESSNELL: And so, any other discussion

about the motion? Monica, could you read the motion into the record please?

M. FREEMAN: Certainly. NACIQI moved to recommend that the Senior Department Official accept all the recommendations of the final staff report for Middle States Commission on Secondary Schools.

C. PRESSNELL: Very good. The motion has been made and seconded. Any other comments? Seeing none, I cannot see those online, if you have a comment speak now. Okay. So, Monica, take the vote please.

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

Z. ELLIS: Yes.

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

K. ALIOTO: Yes.

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

R. ARTIS: Yes.

M. FREEMAN: Roslyn Clark Artis votes yes. Jennifer Blum, how do you vote?

J. BLUM: Yes.

M. FREEMAN: Jennifer Blum votes yes. Wallace Boston, how do you vote?

W. BOSTON: Yes.

M. FREEMAN: Wallace Boston votes yes. Debbie Cochrane, how do you vote?

D. COCHRANE: Yes.

M. FREEMAN: Debbie Cochrane votes yes. Jose Luis Cruz Rivera is absent. Keith Curry, how do you vote?

K. CURRY: Yes.

M. FREEMAN: Keith Curry votes yes. David Eubanks, how do you vote?

D. EUBANKS: I have a quick comment. We often get tangled up in downstream ethical considerations that move us off of our actual compliance. And after doing this for five years, I think my job is just to say whether or not I think they're in compliance, and I don't, so I'll vote no.

M. FREEMAN: David Eubanks votes no. Art Keiser, how do you vote?

A. KEISER: I vote yes, but I'm not sure what I understood David to say. If they're not in compliance you would vote no?

C. PRESSNELL: David, do you want to explain

that?

D. EUBANKS: Oh sure, yes.

C. PRESSNELL: Yeah.

D. EUBANKS: Right. So if they're not in compliance they're not in compliance, you should just say that.

C. PRESSNELL: Art, which means that and David, I don't want to put words in your mouth, but I think you're saying if you're not in compliance, then you're no longer recognized.

D. EUBANKS: Well, that's not our job to say though.

C. PRESSNELL: You don't recommend.

D. EUBANKS: You recommend that they're out of compliance, and yeah.

C. PRESSNELL: Okay.

A. KEISER: I just think the motion shows that they are out of compliance.

C. PRESSNELL: Very good. Go ahead and continue the vote please.

M. FREEMAN: Michael Lindsay is absent. Molly Hall-Martin, how do you vote?

M. HALL-MARTIN: Yes.

M. FREEMAN: Molly Hall-Martin votes yes.

Robert Mayes, how do you vote?

R. MAYES: Yes.

M. FREEMAN: Robert Mayes votes yes. Mary Ellen Petrisko is absent. Michael Poliakoff, how do you vote?

C. PRESSNELL: He's absent.

M. FREEMAN: Oh, Michael is absent. Thank you. And Gary Ransdell, how do you vote?

G. RANSDELL: Yes.

M. FREEMAN: And Gary Ransdell votes yes. Bob Shireman, how do you vote?

R. SHIREMAN: Yes.

M. FREEMAN: Bob Shireman votes yes. It's 12 yes and 1 no.

C. PRESSNELL: Thank you. So, 12 yes, 1 no, and so the motion passes. And so, thank you to the Agency, and also thank you, Beth, for your additional work on this review, in particular.

All right. I have got -- I have 12:16, 45 minutes or one hour, on my hearing what's the will of the Committee? Yeah, let's go with one hour because you do have to find a restaurant, and then you have to get in line and so forth, so at 1:20, 1:20, we'll begin again at 1:20. Thank you.

Recommendation: NACIQI moved to recommend that the Senior Department Official accept all the recommendations of the final staff report for Middle States Commission on Secondary Schools.

(Lunch 12:17 p.m. - 1:20 p.m.)

COMPLIANCE REPORT:

SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS, COMMISSION ON COLLEGES (SACS)

C. PRESSNELL: All right. Good afternoon and welcome back to NACIQI's meeting. We have one final Agency this afternoon to review. It's going to be the Southern Association of Colleges and Schools, Commission on Colleges, better known as SACS.

And so I need to know on recusals how many are going to recuse? So, Robert Mayes.

D. EUBANKS: I'll be recusing.

C. PRESSNELL: David Eubanks, Roslyn.

G. RANSDELL: And Gary Ransdell.

C. PRESSNELL: Okay. Gary. Yeah, Art. Is Art already out? Okay. So, feel free to continue to listen in, but you do need to turn your cameras off if you would, and also restrain from any desire to comment on the recusals. So, yeah, for those of you who have recused yourself, we will not conduct any additional business after our review of SACS COC.

The fourth Agency will be reserved until tomorrow morning, and so we'll have the Agency, and then we'll have the policy discussion tomorrow, so all right, great. So Primary

Readers, Wally Boston and Debbie Cochrane. Who is going to take the lead on that? I'll flip a coin if you need me to do that.

W. BOSTON: Yeah, Debbie's there. Yeah, I was going to just do the intro if that's okay, and hopefully my video and audio will stay intact for that. But the Southern Association of Colleges and Schools, the Commission on Colleges (SACS) or the Agency, is an institutional accreditor.

SACS accredits or pre-accredits 791 degree granting institutions of higher education throughout the United States, including the accreditation of educational programs offered via distance and correspondence education and direct assessment within these institutions.

The Agency is a Title IV gatekeeper, thus institutions accredited by the Board of Trustees will have the Agency's continued recognition by the Department for access to Title IV and higher education programs. SACS appeared on the initial list of nationally recognized accrediting agencies published by the U.S. Office of Education in 1952, and the Agency's recognition has been periodically reviewed and continued after each review.

C. PRESSNELL: All right. Thank you, Wally, and so now we'll turn it over to Dr. Nicole Smith Harris, I'm sorry,

yeah Harris, I'm sorry Nicole.

N. HARRIS: It's okay. Nicole Smith is very nice. I went to high school with her.

C. PRESSNELL: Oh, very good, okay. Nicole, if you would go ahead and give us your briefing on the Agency please.

N. HARRIS: Yes. Good afternoon, Mr. Chair. Should I go back? Okay. Can you all hear me? Okay. Good afternoon, Mr. Chair and members of the Committee. For the record my name is Dr. Nicole S. Harris, and I am providing a summary of the compliance report review for the Southern Association of Colleges and Schools Commission on Colleges, also referred to as SACS COC, or the Agency, a Title IV institutional accreditor currently recognized by the Department.

The scope of recognition is the accreditation and pre-accreditation of degree granting institutions of higher education, including the accreditation of educational programs offered via distance and correspondence, education, and direct assessment within these institutions.

The accreditation status of these institutions and their recognition extends to the SACSCOC Board of Trustees, Executive Council, and the Appeals Committee of the Collegiate

College Delegate Assembly on cases of initial candidacy, or initial accreditation, and for continued accreditation of candidacy, and their geographical area of accrediting activities is throughout the United States.

The compliance report is in response to the Senior Department Official or SDO, November 7, 2022 decision letter regarding areas of noncompliance due to omitted documentation and requested explanation for criteria within the organizational and administrative requirement section required standards in their application section, and the required operating policies and procedures sections of the petition.

The SDO letter also requested the Agency provide responses to additional areas of concern pertaining to matters raised by third party commenters, and members of the National Advisory Committee on Institutional Equality and Integrity, or you, the NACIQI during the petition review, which are primarily found within 602.16(a)1, and 602.23(c) of the report.

The staff recommendation to the Senior Department Official is to accept the Agency's report, and renew the Agency's recognition for one year and six months. The recommendation is based on my review of the Agency's compliance report, supporting documentation submitted in response to the summer 2022 petition

review, which included the analysis of recusals and conflict of interest forms for the organizational and administrative criteria, and the omitted guidelines for addressing distance and correspondence education for review of criteria relating to the Agency's standards in their application.

Particular to the SDO specific additional areas of concern relating to the handling of complaints, the Agency report included an updated compliant policy that considered the NACIQI member comments expressed during the renewal petition review, and incorporated the August 23 Department guidelines to address the SDO concerns.

Since the Agency's last review in August of 2022, the Department has received no complaints for this Agency. However, the Agency did receive three third-party comments directed to the Department's third-party comment reporting procedures, which required no comment from the Agency, and restated matters cited within the additional areas of concern section of the SDO's letter regarding the Agency's handling of complaints, monitoring and oversight procedures, as well as the application of substantive change procedures, which were analyzed in 602.16(a) 1, Roman at I, 602.19(b), 602.22(a)1, Roman at I, and 602.23(c) of the compliance report and did not warrant an added response from

the Agency.

In conclusion, and as I stated earlier, the staff recommendation to the Senior Department Official is to accept the Agency report and continue the Agency's recognition for one year and six months. There are Agency representatives present today, and they will be happy to respond to the Committee's questions. Thank you.

C. PRESSNELL: Yeah, thank you Dr. Harris. Any clarifying questions, or technical corrections for -- yes, Jenn?

J. BLUM: Just a really quick one because I'm looking at the report, and maybe I'm just -- I missed something. But it says renew the Agency for two years and six months, but maybe something has been updated, and I missed it.

N. HARRIS: Sure. I can let you know about that correction. The Senior Department Official letter recognized the Agency for four years, not five years, so thus, the petition is in -- it came in last July, and they will have one year and six months after the Senior Department Official makes a decision on this compliance report, so they're being reviewed. Okay?

E. DAGGETT: Yes. We realized that when it was issued that the wrong timeframe had been, and so we made a technical correction, and notified the Agency about it.

J. BLUM: All good. I was just confused.

C. PRESSNELL: A good question. Debbie?

D. COCHRANE: I think this may be a technical question, but are you able to say, you know, what was going on with the document issues, the document readability issues? I'm not sure if that's a technical, but it's clearly throughout the report.

N. HARRIS: Sure, yes it is. So, the Agency and the Department compatibility to some of the PDFs that they received from institutions and so forth did not coincide with our system, so some things had to be sent to me via email because they're so voluminous.

And having to send them to me, and me save them and upload them, and save them with our Adobe accessibility here at the Department. Our records manager worked with them, as well as some technical staff at the contractor for the e-recognition to try and correct these issues, and some of them were still not able to be reconfigured.

So, they ended up sending me the documentation in a manner in which I could save it and then upload it on their behalf into the system.

D. COCHRANE: So did that -- obviously it looks like this Agency ended up with you finding them to be in

compliant?

N. HARRIS: Correct.

D. COCHRANE: So, it's sort of neither here nor there for this Agency. As a general matter, did this sort of eat into the time of the back and forth in which the Agency had to come into compliance? I'm thinking about if future issues arise among similar?

N. HARRIS: Well, as you are aware, the review process for the compliance report is just as long as the review process for a petition, so in constant communication with the Agency when I find an issue -- so I try to collect them all. And the things that can't be fixed, that's technical issue that I can upload on my behalf as long as the information is in the same context in which it was received.

I'll upload the documentation, but for additional assistance they do go to the help desk, but in some context they couldn't be fixed at that time. And there's some issues with the system that is being worked out at this time, so it wasn't a fault of the Agency. So, I took it upon myself to upload it.

D. COCHRANE: Okay. Great, thank you.

N. HARRIS: Sure.

C. PRESSNELL: Yeah. I clearly remember the

discussion when that happened, so yeah. All right. Any other clarifying or technical questions? All right. If not, I see Dr. Wheelan. Dr. Wheelan, if you want to introduce your team and then respond to the report.

B. WHEELAN: Thank you Mr. Chairman, to you and the other members of NACIQI, thank you for this opportunity. With me is Dr. Rae Borden, who is our Director of Legal and Governmental Affairs and Commission Support. She works directly with our Board of Trustees, as well as with the Department of ED, and other external agencies on reporting issues.

Dr. Kevin Sightler, who is our Director of Substantive Change, and our Board Chair, Mr. Blaine Hansen, who is also the Executive Vice President for Strategic Operations and Public Relations at Lees-McRae College.

I can't thank Dr. Harris enough for her patience. We both learned a lot about technology that was not in either of our job descriptions, truly under those other duties as assigned. For those of you who were here in 2022, we had similar issues in 2022. We found out the Department is using a version of Adobe that's not supported anymore.

Ours was a little more recent, and so that's one of the major reasons they had difficulty opening our documents. But

here the members of the IT staff, and all the other technical people worked with us. It did slow down the response process because, you know, she has a load of other institutions, and you know, had to fit us in between things, so I can't thank her enough, and all the folks at the Department who provided assistance to us.

As you can tell, we had the documentation. We had the second largest of a formerly known as regional accreditors, and so we always have more paper to send in than, you know, many of our other colleagues, and it just got to be a backlog for all of us.

We also had Dr. Borden was new to her position, and when the original petition was filed back in 2022, Ms. Rosalind Hall was also new to her position, and there was no orientation for either one of them, you know, as to the kinds of documents and how to send them in and stuff.

So, you know, it's just appropriate alignment of the stars, and you know, those falling apart, so we have hopefully rectified that. We have gotten all the documents in that we think that were requested of us, and we'll be glad to answer any questions that you may have.

C. PRESSNELL: Thank you very much. Questions from the Committee? Wally or Debbie, questions first? Debbie, go ahead.

D. COCHRANE: Wally, am I kicking us off? I think he's muted.

W. BOSTON: Yes. You're kicking it off and I'll follow-up.

D. COCHRANE: Perfect, okay.

W. BOSTON: Thanks.

D. COCHRANE: Well, thank you so much to the Department and the Agency. I just want to start off by, you know, we're here at this meeting with four compliance reports, and the length of those reports is one is 7 pages, one is 9 pages, one is 14 pages, and then this one is 101 pages.

So, I just think that really speaks to the amount of work and effort that went into this review on from both the Agency and the Department, so thank you. And obviously, the recommendation is to extend recognition, so kudos on that.

I have a few specific questions on a couple topics. One is related to complaints. I appreciate the comments from the Department and the kind of discussion in the report about the policy and understanding how the Agency's policy right now still fits within the guidance that the Department has issued.

I was not on the Committee back when SACS came before NACIQI back in 2022, but I did read through the transcript

from that time, and you clear track many of the conversations, or I'm sorry, many of the improvements that have been made to that conversation, so again, kudos to that.

I did have one question about one requirement that wasn't spelled out in the analysis, but was in one of the attachments. There is requirements about that certain pieces of evidence submitted by complainants as part of a complaint has to be transcribed and then notarized.

And I'm just wondering if you could speak to the necessity of the notarization requirement, and also whether you've seen other agencies that have a similar notarization requirement for complainants with respect to the evidence being submitted because I know there was a reference to a survey of other formerly regional accrediting agencies done in 2020.

B. WHEELAN: I would start, but then I'm going to ask Dr. Borden to jump in because it's her area that handles complaints. That has been a requirement of ours for at least 20 years because it was there when I came to the Commission 20 years ago.

I think it generally refers to any typed information that may have happened, you know, between two parties and in order to verify that it is indeed true and honest to a conversation

that was held when we asked them to transcribe and get it notarized, much like we would in any that we have with our institutions that you know, there is a transcriber, and you now, it has to be verified that it is true, and you know, to that particular conversation. Rae, do you want to add to that?

R. BORDEN: That is correct, Dr. Wheelan. It's basically just an extra layer of verification for specific types of information that is submitted as part of the documentation to support complaints from our constituencies.

D. COCHRANE: Do many of the complaints submitted have notarized documentation?

B. WHEELAN: No.

R. BORDEN: No, not at all.

D. COCHRANE: Okay. Thank you. So, I have next -- I had some questions on the table that was submitted into Exhibit -- I think it has the number PN87A, are you all familiar with that exhibit?

B. WHEELAN: I'm not. Rae may be.

M. BORDEN: Not off-hand.

D. COCHRANE: This was called -- the title of the document was called Response Regarding SACSCOC Complaints Process. There's four pages of narrative, then a table on page 5.

B. WHEELAN: What does the table say?

D. COCHRANE: The table shows years 2019, 2020, through '23-'24, for total calls, average calls per month, and total complaint calls, and then those are broken out month by month.

B. WHEELAN: Okay.

D. COCHRANE: My question is so there's I think the total calls I'm understanding from the discussion in the broader submissions sounds like it relates to the types of phone calls that staff are routinely receiving, where someone will help an individual determine whether something is a proper complaint, or should be handled in a different way, kind of all of that incoming, right?

B. WHEELAN: Correct.

D. COCHRANE: So then the complaint calls would seem to be a subset of that, and so my first question is does the number of complaint calls reflect the number of complaints submitted, or how does this -- what is the difference between total calls and total complaint calls?

B. WHEELAN: Total complaint calls has to do -- we get one person filed a complaint, and they may call 15 different times because they're not clear about the directions, you know,

they want to make sure that the documents were received. You know, and sometimes they just want to talk about what the complaint was, and you know, I'm still not being treated fairly, and all of that.

So, all of that is total calls. Total complaint calls are those that are directly related to a complaint, so that we can, you know, talk about this is how you file those, and this is what goes on, so the bigger number has more to do with just listening, you know.

Dr. Jamie Johnson is the staff member who handles those calls, and she has some new friends every day who just kind of continue to call because they need nurturing. And so, that's the total calls where it may not be on the initial complaint, you know, just further conversation on those complaints.

D. COCHRANE: Okay. Do you have a sense of how many complaints were submitted just in a recent year? So, for this the most recent full year in this table was 2022-23. It shows total calls as 354, total complaint calls is 222.

B. WHEELAN: And so your question is how many are legitimate complaints?

D. COCHRANE: Yeah. How many complaints were actually filed with the Agency?

B. WHEELAN: On my computer looking up that report, so if you'll give me two minutes, I'll get back and answer that question for you.

D. COCHRANE: Thank you.

B. WHEELAN: You can ask me something further?

D. COCHRANE: I think just a couple other questions quickly on that table, and again, it sounds like you all don't have it in front of you, so I don't need to belabor the point. It does look like there was quite a significant uptick in 2022-23, in terms of complaint calls, so I'm not sure if that's something that you all have looked into.

And then I think maybe there's a typo for '23-'24 because it shows total calls as 55, whereas total complaint calls is 117?

B. WHEELAN: I'm still looking. I don't know. Rae do you?

R. BORDEN: I'm looking it up in our annual report. We received 82 formal complaints at the end of June '24, which is the end of our fiscal year, and what is the number that you just said?

D. COCHRANE: That was the end of '23-'24.

R. BORDEN: Yes.

D. COCHRANE: What's shown in the table is -- says data assembled through September 2023, so I think that that's an incomplete year. That number shows 55 total calls for that year, which would be through September '23, but 117 complaint calls.

B. WHEELAN: Yes.

D. COCHRANE: I think the complaint calls are meant to be a subset of the total?

B. WHEELAN: Yeah. Calls come in about complaints, but they're not always things about which we deal with. Students will call and complain that, you know, they held my library -- they wouldn't let me get my transfer because, you know, I didn't pay a library fine. This was before the rules changed.

And so, that for us is a complaint, I mean it's a call, but's it's not something about which we would do a complaint, you know, process. And so, we're going to have more complaint calls than we have actual complaints. And so, since this report was due in November, that's why you have a partial year.

But for the year of '23-'24, we had 82 complaints, legitimate complaints that we reviewed.

D. COCHRANE: Okay. And I understand it's a

partial year. I think it seems like total calls should be larger than total complaint calls.

B. WHEELAN: Well, because that report went just to the office that handles complaints. Our Vice President, my office, every office, gets calls from people. We get general calls all the time, so that's not included in that number. Those were just calls that are directly related to complaints.

Again, the complaint, if it's an official complaint, that's the smaller number. The larger number is because people will call back and want to know, you know, where is my complaint? What's the status of it? You know, where is it, or again, just want to talk some more about what the issue is.

D. COCHRANE: Yeah. I do understand that people can call repeatedly, or just to talk through it.

B. WHEELAN: Right.

D. COCHRANE: I don't think that explains the numbers I'm seeing on the table, but because they're inconsistent in different directions, but that's okay. I was really just mostly trying to get a sense of what proportion of sort of "complaint calls" translates into complaints because I think that pipeline is an indication of a complaint process that is accessible. That's all I'm trying to get at.

I think it's too hard to talk through anymore without the data table in front of us.

B. WHEELAN: Okay.

D. COCHRANE: Have you noticed any sort of change since you updated your complaint policy in January of 2024?

B. WHEELAN: We've gotten online complaints currently that we didn't have before because we've now made it an online process.

R. BORDEN: And we have seen an uptick already as a result of the implementation of the online process.

D. COCHRANE: Okay. Thank you. My last question is about teach out plans. In some of the Agency's documentation, in terms of walking through the process, there's a reference to having the Agency verify a teach out plan. Go to the site and verify a teach out plan. What does it mean to verify a teach out plan?

B. WHEELAN: Dr. Sightler?

K. SIGHTLER: Of course. I'll be happy to answer that. And we have teach out plans for programs, sites, or entire institutions, and they are pretty much parallel in terms of their process. That is the vetting of the adequacy of the teach out plan

relative to our requirements.

And so, the institution will submit a teach out plan addressing all of those things that are enumerated in our policy, and our staff reviews those, and assesses the adequacy, the completeness, the accuracy of the institution's plans, particularly as it relates to assuring students have reasonable completion functions.

D. COCHRANE: Okay. So it's your verifying how adequately the plan submitted complies with your requirements?

K. SIGHTLER: That's correct.

D. COCHRANE: Okay, got it. Okay. Thank you so much. Those are all my questions at this point.

C. PRESSNELL: Thank you, Debbie. Wally?

W. BOSTON: Yes. So, I thank you for answering the complaint handling questions of Debbie because I had similar questions. My question really relates to institutional oversight. As I read the preliminary analysis, it highlighted a lack of enforcement mechanisms for financially troubled institutions.

And then the final staff report seemed to indicate that there was insufficient evidence on monitoring the financial stability. You know, this issue is not a, you know, overnight issue, it's been around for a long time. We have similar issues, whether

you look at data in College Navigator, or you know, some of the other Department's dashboards.

But I'm curious if given the projections for decreases in enrollment, although the South is certainly one of those areas that may not experience the demographic cliffs so much as the Northeast and the Midwest, but I'm curious if you have instituted any measures that weren't cited in our report for monitoring financial stability.

For example, I believe one of our region's, or former regions, WASC, uses something they call the Zemsky stress test, which they calculate annually for each of their institutions. They don't publish it, but they use it for their discussions after each institution submits their annual report. Does SACS have anything similar to that when you ask institutions to submit financial data annually?

B. WHEELAN: They do. We have -- we collect the financial information every year, and do a five year analysis of the financial status of the institution that we present to the Board each time the institution comes up for review. In addition to that, there are I think five financial standards that are used in analyzing them, not just the, you know, this year, even this year, but there are five different areas that are reviewed.

Off the top of my head I don't remember what they were because I wasn't prepared for that question. I apologize. Additionally, after three years when an institution, you know, is continuing to decline in its resources, we call them in and have a meeting with them to talk about where they are, where they're going, give them some suggestions on how other institutions, you know, have turned themselves around, or done things to, you know, to get out of the hole.

They don't always listen to us, but you know, we do share that information with them. But yes, we have a similar kind of thing that we use. Rae, are you familiar enough with those elements that you want to say something, since you've reviewed them?

R. BORDEN: I know that we typically have the staff members use the internal dashboard from which that information is pulled when they submit their financial indicators annually. And it informs much of the decision making around the reviews and the selection of evaluators that are going to be involved in reviewing the process for institutions that we can readily identify have financial issues, or have the potential to get into financial trouble based on their current information submitted.

W. BOSTON: I'm also aware that there are

consultants out there who for a fee will allow you access to their financial analysis of the "10 percent most financially troubled institutions out there." Is that anything that you all ever subscribe to, or do you strictly evaluate the information as submitted by the institutions that are members?

B. WHEELAN: We believe that our institutions have the same data that they do because they provided information to them, so we get it from the institutions, and their audits. You know, we ask for audited figures from them when they are coming forward, so it's -- that's the external review on which we depend.

W. BOSTON: Do you ever have institutions that receive a growing concern?

B. WHEELAN: Oh yeah, sure.

W. BOSTON: Are there any special processes for one that is received?

B. WHEELAN: Well, again, after three years we call them in to kind of, you know, counsel them on what's going on, and why this is happening. As they move through the process and Mr. Hansen, I'm going to ask you to step in because you've served on Committees and you're on the Board. We have an institution right now that our institution dropped from membership two years ago because of finances.

And most of the institutions that lose membership with us lose it because of finances. A loss of money impacts everything at an institution, but that's usually the prevailing issue. But when a Committee -- when a third Committee reviews the institution, and its financial status, all of this data is made available to them.

The audits are made available. The analysis by the staff, the analysis that's been going on and everything, and so, the Board members then have that data by which to make their decisions.

W. BOSTON: Okay. Thank you.

C. PRESSNELL: Very good. Questions from the Committee? Kathleen?

K. ALIOTO: Yes. Thank you for your service since you oversee practically one-quarter of the higher education institutions receiving Title IV money. And in your top 20 Liberty gets 880 million, Nova Southeastern 662 million, Florida International 337 million, Texas A&M 332, and University of Texas of Austin 311 million.

How do you make sure that that amount of borrowing in terms of students is not -- does not overwhelm their lives in the future?

B. WHEELAN: I'm sorry. I'm not laughing at your question I'm laughing because the institutions you mentioned don't have a following or payment problem. It's smaller institutions that do. We have done an analysis on the amount of debt that our students incur, and the institution in which they do them, and surprisingly, at least among our members, it is community college students that default more often than students at senior institutions, even though it's less money.

We have not learned how to explain that, but that is what the members tell us. And so, in 2018, when we revised our standards, we put in a standard that requires institutions to do financial literacy, either as a course, or as part of the counseling for, you know, taking out the loan, or part of the orientation.

We don't dictate how they do it, but they are required to demonstrate that they explain to students what happens when you borrow money and don't pay it back. And our data shows that our region, our student default rate has declined since that standard was put in place.

So, that's the way that we have, you know, worked with our institutions to ensure that students pay their loans back.

K. ALIOTO: I tried to figure out how much you actually oversee in Title IV. How much is that?

B. WHEELAN: I have no idea. We don't give them the money. The Department or federal government gives them the money, so we don't -- I don't know that number. Maybe somebody from financial aid can tell you, I really don't know.

K. ALIOTO: Maybe next time you come back you'll --

B. WHEELAN: I won't be back. I'm retiring in 63 days.

K. ALIOTO: Thanks for your years of service.

B. WHEELAN: Thank you.

K. ALIOTO: And part of that service, I was very glad to see that you are in your guidelines that the institution publishes and implements appropriate policies and procedures for preserving and protecting academic freedom, so not to steal my colleagues fire here. I wondered what you were doing about that in terms of the New College of Florida.

B. WHEELAN: I would be glad to answer that question after you all have voted on this petition because that is not related to our issues.

K. ALIOTO: Well, part of our --

B. WHEELAN: I'll be glad to answer it, but just not until after you vote on this.

K. ALIOTO: Okay. And how about the other colleges? I mean that's more contentious, but then you have Liberty as your number one with 880 million. Now, you have various viewpoints on life in your leadership.

B. WHEELAN: We evaluate the compliance to our standards based on an institution's mission. And so, those institutions that are public institutions for example, would probably be evaluated more strenuously because they have different sets of guidelines for state and federal to which they must be responsive for a private institution's groups.

We encourage all of our institutions to follow the Constitution of this country, which does allow free speech, and so therefore academic freedom might be interpreted as part of that. Beyond that, it would, you know, it would be because we are a peer review process, the peer committees would be the ones that would go and evaluate whether institutions are complying with that standard or not.

K. ALIOTO: I have a history of peer evaluators coming in from other institutions and digging my institution. I always thought it was anti --

B. WHEELAN: You're not in my region, Ms. Alioto.

K. ALIOTO: Okay. Why don't I let them talk, and then I'll remember what I wanted to say.

C. PRESSNELL: All right. Thank you, Kathleen.

K. ALIOTO: Thank you.

C. PRESSNELL: Jenn?

J. BLUM: Well, Kathleen stole my thunder only because my one question to Belle was going to be am I correct that this is your last meeting before NACIQI, so I just want to take one second to say thank you for your work, and I know myself personally, I've learned a lot from you over many, many years of just watching and observing, so I just wanted to recognize and appreciate your tenure before you retire.

B. WHEELAN: Thank you very much. I appreciate that.

C. PRESSNELL: Zakiya?

Z. ELLIS: Hello, can you all hear me because I switched my audio. Okay. It's good to see you, and my question is not related to -- I just want to get, it's not related to the substance of the petition before us, but it is to help inform our conversation that we will likely have tomorrow in the policy discussion.

So, since you all presumably won't be engaging with us in that setting, I've been taking this opportunity for all of

the agencies, not just for you all, to have a better understanding of how you all are viewing some of the issues that are coming up that are related to accreditation.

So, I'm not going to ask you about your claim, but not necessary related to the petition that is before you. It is dealing with academic freedom, and so if you want to do this, and I'll defer to our Chair as to how he wants to handle these things, but I wanted to get it on the record just to have this for my own understanding.

You have been in the cross hairs I guess before, and around this issue of academic freedom as a core part of the standards for SAC COC, and trying to preserve, you know, the quality of educational offerings. I think about higher education as a place where ideas are generated, discussed and debated, and I'm wondering if you could just share with us hypothetically if an institution began to punish faculty members, or others, for teaching about certain things, Communism, Fascism, critical race theory, things that people may have disagreements about, about how they are taught.

But if someone said you could not -- a politician, or an institution started to punish faculty members for teaching about these things, would that be a violation of your standards, and

would they be at risk of being reviewed, just so that we may think about how agencies are grappling with these issues right now?

B. WHEELAN: Sure. I'm smiling, but only because if it was purple I'd get away without any of these questions, but that's okay. One of the reasons, or one of the issues that arose for Florida passing a law that determined that they needed to find another accreditor was because we called them on the fact that there have been three faculty members that were denied the ability to speak out as expert witnesses because it was deemed that they were state employees, and they could not speak out against the state.

And we took them to task as it were, that you know, that there is a standard that says academic freedom, you know, is still legitimate, and so but an institution had to demonstrate to us that they were still in compliance with our standards, and they sent back a 90 page report showing us some of their policies and their practices to demonstrate that, you know, this was not their intent, that they had been allowed to indeed testify as expert witnesses.

And so we felt like they were in compliance, and that was fine. The Board of Governors was not really happy, but we took them to task, along with the conflict of interest issue that arose about a month later, and so they just decided they don't like

our rules, and so they're going.

Any time there is state legislation that conflicts with our requirements, we have always deferred to the states, to that legislation. We know that institutions have to reside in that state, that they, you know, belong to the state, that they get their funding from the state, and so we've not gone up against it. Whether it's been a curricular issue, or you know, academic freedom issue, or whatever, and in fact it's special to say things happening at the College of Florida.

Again, we evaluate an institution based on its mission, and if its mission says that this is the philosophy we're going to follow, and it's, you know, if someone in the institution doesn't follow that philosophy, then I can't say they're out of compliance because they're in compliance as it relates to their mission.

And so, that's how we've been dealing with it. If an institution, you know, can demonstrate that it's following its policies, the policy says that faculty can speak at this level, or they can't speak at this level, then no, I haven't any grounds by which to say they're out of compliance because that's what their mission and philosophy and policies say.

C. PRESSNELL: Anything else Zakiya? No.

Bob?

R. SHIREMAN: Thank you, and I'll join others in thanking you for your many years of service, and also thank you for being responsive in addressing the complaint process issues that I had raised in 2022. I really appreciate that.

Following up on Zakiya's question. I noted earlier in this meeting that President Trump has said he plans to use the accreditor recognition process of course that we're a part of today to impose his will on accreditors. Last August the Senior Fellow at a conservative think tank, a guy named Max Eden, wrote that the first agency that Trump should "destroy" is SACS COC.

He said without evidence that your Agency "Has been perhaps the most offensive and pro DEI of all accreditors." I was very surprised to read this because I reviewed the standards of more than 50 accreditors a year ago, and I found that SACSCOC was the only one of the former regional accreditors that did not have any requirement that looked anything like DEI. Do I have that wrong?

B. WHEELAN: No. You are correct.

R. SHIREMAN: So, apparently this Senior Fellow did not do his research. DEI is not a requirement of SACS COC, and as you have just described in relation to these other

controversies, I would note that your academic freedom standards, your standards about institutional autonomy, your standards about the governing board needs to be the ones who are in control of an institution.

Those are all pretty standard among the former regional accrediting agencies, and I think that if you had not investigated the situation in Florida, that you would have people like me complaining that you had not investigated. And you ended up not taking any action against any Florida institution.

You did not put anybody on any kind of a --

B. WHEELAN: Licensure.

R. SHIREMAN: Yeah, and any issues, you found no issues there, yet you had this dramatic response by the state enforcing all of their institutions to spend millions of dollars to find new accreditors. So, I'm just kind of flabbergasted that conservatives seem to want to destroy the only former regional agency that does not have a DEI standard, because the agency had the gall to do its job, and do the investigations that made sense, given that the evidence that was before you.

I actually asked somebody else, another think tank person, you know, what's going on with because SAC's doesn't have DEI standards, and he couldn't -- he said there's stuff. But no

specificity at all. So, I wonder if what really is going on here is they just were irked that anybody was investigating them, or irked that you were investigating them.

I don't know if you want to respond to that. I have another question. It's up to you.

B. WHEELAN: No, sir. I don't. Check back in 63 days and I'll tell you.

R. SHIREMAN: Dave Eubanks asked some interesting questions this morning. He made an interesting point about the role of grades in signaling students about their own achievement and how they're doing, and whether they're actually making progress and learning.

Does SACSCOC look at grades in your reviews of institutions to see if the signals that grades are sending students match with achievement more broadly, and the assessment process?

B. WHEELAN: Not that I'm aware of. We have many institutions that have competency based programs, and there are no grades, so you know, we would be penalizing them if looking at grades was a criteria by which we judged an institution. We do look at, you know, whether they've earned the competencies, whether they pass the course, but we don't go down

how many A's, how many B's, how many F's, no.

R. SHIREMAN: Would institutions in their assessment systems if they want to use grades, be allowed to use grades in assessing student success?

B. WHEELAN: Yeah, sure.

R. SHIREMAN: Okay. Great. All right. That is all from me for now.

C. PRESSNELL: All right, very good. Thank you, Bob. Zakiya?

Z. ELLIS: I'm just curious if you are the only former regional who is black, and I'm asking that -- I'm just asking that factual question because in my research, and in looking at how people view the term DEI, it's overwhelming that we may hear the term DEI, they hear black, regardless of what that's supposed to be about. I'm just curious if you are the only former regional President who is?

B. WHEELAN: Yes.

Z. ELLIS: Okay. Thank you.

C. PRESSNELL: All right, any other -- yeah, Kathleen, and then we do have a third-party commenter.

K. ALIOTO: I'd like to join my colleagues in thanking you for your leadership, and you certainly have indicated

how adept it is today, well never mind the other times we have met, and thank you for your sense of humor, and your open spirit too.

B. WHEELAN: It's been my pleasure, thank you Kathleen.

K. ALIOTO: Sometimes contentious discussions. But I do wonder about what happened at the New College when essentially a whole one policy about education was upended, so it's not as if the college was going along focused on intellectual inquiry, and a sense of wonder.

And now, it was kind of wiped out from under them, and I'm concerned about the possibility of that happening nationally, so I wondered about it.

B. WHEELAN: There are many things that our institutions do of which I don't agree, but as long as they can demonstrate they're in compliance with our standards, I have no ground on which to stand. Our requirement says that there has to be a governing board, and it has to have a minimum of five board members.

The Governor appoints the Board members, and he can change them in and out any time he wants to, much like the President has disbanded all of the military service boards because,

you know, he and Congress have to approve them. So, as long as there is a Board, Governor DeSantis put in Board members that changed the philosophy from the institution's historic mission.

It is the Board's responsibility, according to our standards, to establish the mission. They can change that mission, which is what they did. Did we agree with that change? No. But I, again, have no grounds on which to stand because it is the Board of the institution that's responsible for approving, you know, the mission of the institution.

So, that was one of those things they were still in compliance with our standards, whether we agreed with what they did or not, and so those, you know, nothing to be done.

K. ALIOTO: Thank you.

C. PRESSNELL: All right, any other questions from the Committee? Okay. We have one third-party commenter. David Halperin, and David did we get you on? Is he in the room? Okay.

D. HALPERIN: I am now. I'm sorry. I just moved over from one system to another, so I missed what you said.

C. PRESSNELL: No problem. No problem. As you know, you have three minutes for your comments, and so we'll begin that three minutes now.

D. HALPERIN: Good afternoon. The compliance report that the Department required for SACS was premised in part on a comment I submitted, providing detailed evidence that Arthur Keiser has abused the nonprofit status of Keiser University.

To date, neither SACS, nor the Department has taken sufficient action to stop this behavior. But in the present context, my urging you to ask SACS to further scrutinize Keiser, seems like asking the crew of the Titanic to repair a chair leg. Instead, I commend Dr. Wheelan and SACS for their overall efforts to ensure academic quality and integrity, and I want to speak to you, NACIQI.

NACIQI stands for National Advisory Committee on Institutional Quality and Integrity. At this moment the quality and integrity of higher education are under attack from the Trump administration. I urge NACIQI to speak up today. Please speak up because the Trump administration is attacking accreditors for their efforts to do the right things, like protecting quality, academic freedom and freedom of speech.

Speak up because the Trump administration is attacking America's research universities, whose work advances health, safety and human knowledge. Speak up because the Trump administration is eliminating efforts reflecting that we are a

stronger nation if we support diversity, equity and inclusion and fairness.

Equal opportunities so every person has a chance. Speak up because the Trump administration is attacking financial aid that gives Americans the chance for higher education, even if their parents aren't wealthy. Speak up because the Trump administration is reversing efforts to grant loan cancellation for students who were scammed by their colleges, colleges to which accreditors and the Department wrongly gave their Good Housekeeping seal.

Speak up because while Mr. Trump and Mr. Musk claim to be cracking down on waste, fraud and abuse, they are bringing back the government people who have facilitated billions, hundreds of billions in waste, fraud and abuse, by predatory for-profit colleges.

Speak up because the Trump administration is again making it easier for campus predators to get away with sexual assault. Speak up because the Trump administration is attacking transgender students, our children, for no apparent purpose other than bigotry and cruelty.

You are among the few remaining independent voices attached to this United States government. Your expertise

is needed right now. Please speak up.

C. PRESSNELL: Thank you very much for those comments. Belle, do you have any response to the comments as an Agency?

B. WHEELAN: Ditto.

C. PRESSNELL: Okay. You slid that one in pre-retirement, but anyway. All right. Thank you all very much. Beth, do you have -- see Nicole, what am I doing here. You know, it's I am just ruined. Dr. Nicole S. Harris, do you have comments that you would like to make in reference to the third-party comments in the Agency's remarks?

N. HARRIS: In reference to the third-party comment, Mr. Halperin's complaint that he provided as a third-party comment in the petition in 2022, was addressed by the Agency, and it was again asked to be discussed in the compliance report. So, the close out of his initial inquiry will come after the SDO decision on the compliance report.

That will be due 90 days after the conclusion of this meeting, so he will get a response from the Department in reference to his complaint. Just two things in reference to the complaint, 117 number. I met with the predecessor of Dr. Brea in reference to the documentation with Dr. McKissic, and the

explanation that I received on that 117 number, and since it wasn't a full year was they calculated how many complaints were discussed per call.

So, the calls that you had was one number, and sometimes they had multiple complaints in a -- during a call, so that's why that number was considered total complaint calls because the call discussed multiple complaints.

That was the understanding, and in the petition response it stated that the calls are received and include listening of multiple concerns and issues. So, what that was interpreted as multiple complaints in a call. So, that's why you have one as total calls, and one as total complaint for the calls, so hopefully that offered some clarification to you.

B. WHEELAN: Thank you.

N. HARRIS: And in reference to the orientation, I am happy to orient anyone on the interpretation of the criteria, and I have tried to be as responsive as possible to the new federal liaison at their agency. And as you see in 602.15(a)1 for staffing, it asks -- it requires that they have adequate administrative staff and financial, you know, resources, and so forth. And each of their staff members were entitled as the federal regulatory person.

So, the orientation I thought I was offering was to

assist in clarification when it comes to the regulatory requirements. As you can see from their submissions, some of the issues were outside of the realm of an orientation, which were technical issues, missing information, or things that weren't explained.

So again, as a public servant, I'm happy to assist in any new staff member who takes on the role of working with the recognition process, however, I would like to express that I tried to assist as much as possible with the two federal contacts for the Agency to get as much information as possible for the NACIQI members to understand the petition and their responses, so.

B. WHEELAN: Mr. Chairman, if I might? Dr. Harris did an outstanding job helping my staff understand what was required. But the orientation we needed is how to work with -- how to technically do the system. How to upload documents, you know, that's the assistance that we didn't know, you know, how to do that.

And so, that again, during both our petition submission and this monitoring report, we had the same kinds of issues, so that's what I was talking about. She was Jane on the spot when we wanted to know what does this requirement mean, you know, and whatever documents you're looking for. It's just getting those to her where the challenge was.

So, I hope I did not offend her, and make her think that I didn't think she was doing her job. She did an outstanding job.

N. HARRIS: No offense taken.

C. PRESSNELL: Yeah, thanks. We're absolutely. All right. Any other questions for Nicole? All right. Let's move into discussion and vote, and so any comments Wally or Debbie? Any other comments from the Committee? We'll go ahead and I'll entertain a motion.

D. COCHRANE: I will make the motion. I move that NACIQI recommend that the Senior Department Official accept the recommendations for SACSCOC as listed on the agenda.

W. BOSTON: I second that.

C. PRESSNELL: Thank you, Wally, thank you, Debbie. Any comments, questions? We'll get the motion drafted, and read it into the record here in just a moment.

J. BLUM: Actually I have a quick question.

C. PRESSNELL: Yes.

J. BLUM: So, if they have one year 6 months, or whatever it is, are they already submitted?

C. PRESSNELL: Yeah.

J. BLUM: Okay. Sorry, I must have missed that. Yes. Nicole has already --

N. HARRIS: Yes, their petition came in in July of 2024.

J. BLUM: Okay, thanks.

C. PRESSNELL: Are we -- are you okay? Okay. So, we're going to have Monica read the motion into the record.

M. FREEMAN: And Debbie make sure that I'm reading -- have this the way you meant for it to be please. I move that NACIQI recommend that the Senior Department Official accept all the recommendations of the final staff report for Southern Association of Colleges and Schools Commission on Colleges.

D. COCHRANE: Yes.

M. FREEMAN: That's it, okay.

C. PRESSNELL: All right. Very good. Any other comments about the motion? All right. Seeing none, take the vote.

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

Z. ELLIS: Yes.

M. FREEMAN: Zakiya Smith Ellis votes yes.

Kathleen Alioto, how do you vote?

K. ALIOTO: Yes.

M. FREEMAN: Kathleen Alioto votes yes. Roslyn Clark is recused. Jennifer Blum, how do you vote?

J. BLUM: Yes.

M. FREEMAN: Jennifer Blum votes yes. Wallace Boston, how do you vote?

W. BOSTON: Yes.

M. FREEMAN: Wallace Boston votes yes. Debbie Cochrane, how do you vote?

D. COCHRANE: Yes.

M. FREEMAN: Debbie Cochrane votes yes. Jose Luis Cruz Rivera is absent. Keith Curry, how do you vote?

K. CURRY: Yes.

M. FREEMAN: Keith Curry votes yes. David Eubanks is recused. Art Keiser is recused. Michael Lindsay is absent. Molly Hall-Martin, how do you vote?

M. HALL-MARTIN: Yes.

M. FREEMAN: Molly Hall-Martin votes yes. Robert Mayes is recused. Mary Ellen Petrisko is absent. Michael Poliakoff, how do you vote?

M. POLIAKOFF: You got that right, Monica. I

won't delay us since we'll have a policy discussion tomorrow of many of the interesting things that have been brought up today. I have to say that I still take Umbridge that I was barred from discussion of SACS when it came up for reauthorization originally.

But in terms of the compliance report, all the criteria have been satisfied, so this is a yes. I would add though, just a little footnote that I did not find that SACS was really honoring the Virginia Legislature in 2012. I realize this is ancient history.

What it put on warning the Board for terminating the President. This strikes me as one of those things we should dig into. The clause in the Higher Education Act, 1099 BG, which we have renamed the elastic clause that says nothing should be construed to prohibit any accrediting agency from adopting additional standards not provided in this section.

That being the 10 criteria that are listed. I think we've got real work to do in this Agency to get us back to fair and reasonable procedures in the way we examine the behavior of accreditors. And if I might, just one more. Academic freedom, when the agony of Carol Hooven was before the nation, our role in Fryer, or Joshua Katz, or Dorian Abbott, or Peter Bogosian.

And I kind of again take Umbridge that suddenly

we have converts to academic freedom, but I hope it's not going to be what Janis Joplin so nicely described another word for nothing left to lose. End of sermon.

C. PRESSNELL: We'll pick up that tune tomorrow during the policy question, so your vote is yes, correct?

M. POLIAKOFF: Yes.

M. FREEMAN: Michael Poliakoff votes yes. Gary Ransdell is recused, and Bob Shireman, how do you vote?

R. SHIREMAN: Yes.

M. FREEMAN: And Bob Shireman votes yes. So we have a total of 9 yes, zero noes, 3 absent, and 5 recused.

C. PRESSNELL: All right. Very good. So, the motion passes. Congratulations to the SACSCOC team, and Belle, best wishes on your retirement, and just so you know I beat you. December 31st is my day, so I have to beat you at something, but anyway, congratulations.

B. WHEELAN: Thank you so much, and thanks to all of you for the support over the 20 years that I have been in this position. It has been a growth experience for me as well, so thank you.

C. PRESSNELL: All right. Very good. All right. That completes today's work. I just want to remind everybody that

tomorrow morning we will start promptly at 9 o'clock, and we will have the Accreditation Council for Pharmacy Education, and then we will move into the policy discussion at that point in time.

George, any comments?

G. SMITH: That's it.

C. PRESSNELL: All right. Very good. We will have a nice evening. We'll see you tomorrow morning.

Recommendation: That NACIQI recommends that the Senior Department Official accept all the recommendations of the final staff report for Southern Association of Colleges and Schools Commission on Colleges.

(Whereupon NACIQI Winter 2025 Meeting adjourned at 2:27 p.m.)