

**Report of the Meeting of the National Advisory Committee on Institutional
Quality and Integrity**

December 14-16, 2011



/S/

Jamienne S. Studley, Chair

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DISCLAIMER

This report was written as a part of the activities of the National Advisory Committee on Institutional Quality and Integrity (NACIQI), an independent advisory committee established by statute. The NACIQI is subject to the Federal Advisory Committee Act and the regulations implementing that statute. This report represents the views of the NACIQI. The report has not been reviewed for approval by the Department of Education, and therefore, the report's recommendations do not purport to represent the views of the Department.

EXECUTIVE SUMMARY

Background:

The National Advisory Committee on Institutional Quality and Integrity (NACIQI or the Committee), was established by Section 114 of the Higher Education Act (HEA) of 1965, as amended by the Higher Education Amendments of 1992 and, most recently, Section 106 of the Higher Education Opportunity Act (HEOA). Chief among its statutory functions is the Committee's responsibility to advise the Secretary of Education, or his designee, the Senior Department Official (the Assistant Secretary for Postsecondary Education), regarding the recognition of specific accrediting agencies or associations, or specific State approval agencies, as reliable authorities concerning the quality of education and training offered by the postsecondary educational institutions and programs they accredit. Another function of the NACIQI is to advise the Secretary on the establishment and enforcement of the Criteria for Recognition of accrediting agencies or associations under Subpart 2, Part H, Title IV, of the HEA. The NACIQI also provides advice to the Secretary regarding policy affecting both recognition of accrediting and State approval agencies and institutional eligibility for participation in programs authorized under Title IV of the Higher Education Act of 1965, as amended. The NACIQI is required by law to meet at least twice a year.

The HEOA made changes to section 496 of the HEA "Recognition of Accrediting Agency or Association" and suspended the activities of the NACIQI upon enactment on August 14, 2008. It also changed the composition of the Committee by increasing the membership from 15 to 18 and shifting appointment authority that had been vested solely in the Secretary to the Secretary, the President pro tempore of the Senate, and the Speaker of the House, each of whom may appoint six members. Also, rather than having the Secretary appoint the Chair, the HEOA required the members to elect a Chair. In July 2010, new regulations went into effect that govern the process by which accrediting agencies seek recognition by the Secretary as a reliable authority regarding the quality of education and training provided by an institution (or program) they accredit.

Discussion:

At its December 14-16, 2011 meeting, held at the Crown Plaza Old Town in Alexandria, Virginia, the Committee met to carry out its duties to advise the Secretary with respect to the recognition of accrediting agencies and State approval agencies, and carry out other advisory functions relating to accreditation and institutional eligibility as the Secretary may prescribe by regulation.

NACIQI members in attendance for all or part of the meeting included Jamieenne S. Studley (Chair), Arthur J. Rothkopf (Vice Chair), George T. French, Jr., Arthur Keiser, William "Brit" Kirwin, Earl Lewis, Anne D. Neal, Susan D. Phillips, Beter-Aron Shimeles, Cameron C. Staples, Lawrence N. Vanderhoef, Carolyn G. Williams, Frank H. Wu and Federico Zaragoza.

U.S. Department of Education personnel who participated in the meeting included: Committee Executive Director Melissa Lewis, Accreditation Director Kay Gilcher, Program Attorney Sarah Wanner, Accrediting Agency Evaluation Unit (AAEU) Chief Carol Griffiths, Accreditation Division staff: Elizabeth Daggett, Karen Duke, Jennifer Hong-Silwany, Joyce Jones, Charles Mula, Steve Porcelli, Cathy Sheffield and Rachael Shultz.

The Recognition of Accrediting Agencies and State Approval Agencies:

The Committee reviewed petitions and reports from fifteen agencies – nine accrediting agencies and six State approval agencies.

The Committee reviewed twelve agencies for renewal of recognition. Three of these agencies additionally requested expansions of their scope of recognition. The recognition of nine of these agencies enable the institutions they accredit to seek to participate in HEA, Title IV programs; the remainder have non-HEA federal program links, such as links to education and training programs administered by the Department of Health and Human Services and the Department of Homeland Security. The Committee heard third-party comments regarding the recognition of two agencies.

The Committee also reviewed the interim reports of two accrediting agencies that responded to compliance issues identified during their previous review for recognition and heard an informational report by one accrediting agency on its initial accreditation review process and the actions it had taken pertaining to initial accreditation during the past year.

A summary of the Committee's deliberation and recommendation regarding each agency is provided in the body of this report.

Policy Session on NACIQI Recommendations for Reauthorization of the Higher Education Act

Chair Studley introduced this session and reminded the group that it was at the Committee's September 2010 training session that the Secretary invited the Committee to provide him with legislative suggestions for improving accreditation and building the public's confidence in the quality of higher education institutions for consideration during the reauthorization of the Higher Education Act (HEA) scheduled for 2013. She recapped the Committee's activities of the past year to develop those recommendations which included public hearings and a solicitation of written comments from the education and accreditation communities. These activities informed the development of a draft set of options and a consensus document which framed the Committee's discussions during this meeting. Also during this meeting, the Committee held an additional two public comment sessions.

Dr. Susan Phillips, Chair, Subcommittee for Policy, provided an overview of the subcommittee's synthesis of the information into thirty-three options and subsequently into a coherent set of recommendations. The options are organized into the following cluster issues:

- The linkage of accreditation and eligibility for Title IV funds
- The Triad of actors in educational quality assessment
- The State role in quality assurance
- The role and scope of accreditors
- Data as an essential tool in quality assurance
- Data in service of public and consumer information
- The role of the NACIQI as a federal advisory body.

Dr. Phillips outlined the process by which the Committee deliberated and prioritized their recommendations by a “straw poll” of non-binding expressions of current thinking. Committee members engaged in considerable discussion regarding each cluster area with its associated options. A summary of the Committee’s deliberation and the Committee’s recommendation regarding each cluster area is provided in the body of this report.

SUMMARY OF AGENCY-RELATED ACTIONS TAKEN BY THE COMMITTEE

I. PETITIONS FOR RENEWAL OF RECOGNITION AS NATIONALLY RECOGNIZED ACCREDITING AGENCIES (INCLUDING TWO EXPANSIONS OF SCOPE)

A. American Association for Marriage and Family Therapy, Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE)

Action for Consideration: Petition for renewal of recognition and a request for an expansion of scope to include distance education.

Current Scope of Recognition:

The accreditation and preaccreditation (“Candidacy”) throughout the United States of clinical training programs in marriage and family therapy at the master's, doctoral, and postgraduate levels.

Requested Scope of Recognition:

The accreditation throughout the United States of clinical training programs in marriage and family therapy at the master's, doctoral, and postgraduate levels, *including programs offering distance education.*

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that the COAMFTE’s recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. We further move that the agency’s request for expansion of scope for distance education be denied.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§602.15(a)(2)	§602.15(a)(4)	§602.15(a)(5)	§602.15(b)	§602.16(a)(1)(ix)
§602.16(b)(c)	§602.17(e)	§602.17(f)	§602.19(b)	§602.20(a-b)
§602.21(c)	§602.23(a-c)	§602.23(e)	§602.25(f)	§602.25(h)
§602.26(a-e)	§602.27(a)(1)	§602.27(a)(4)		

The above issues focus primarily on the agency’s need to need for documentation regarding the agency's application of its policies as well as evidence of final revisions to policies.

The Committee had no questions for staff or the agency.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency and the Department staff analysis and report.

NACIQI Primary Readers:

William "Brit" Kirwan
Carolyn Williams

Representatives of the Agency:

Tanya Tamarkin, Director of Educational Affairs, COAMFTE
Tracy Todd, Deputy Executive Director, COAMFTE
Roger Smith, Senior Attorney, COAMFTE
Eric Shapiro, Education Specialist, COAMFTE

Third-Party Oral Comments:

None

B. American Podiatric Medical Association, Council on Podiatric Medical Education (CPME)

Action for Consideration: Petition for renewal of recognition and a revision of the scope language to reflect current agency terminology for its recognized preaccreditation.

Current Scope of Recognition:

The accreditation and preaccreditation ("Candidate Status") throughout the United States of freestanding colleges of podiatric medicine and programs of podiatric medicine, including first professional programs leading to the degree of Doctor of Podiatric Medicine.

Requested Scope of Recognition:

The accreditation and preaccreditation ("*Provisional Accreditation*") throughout the United States of freestanding colleges of podiatric medicine and programs of podiatric medicine, including first professional programs leading to the degree of Doctor of Podiatric Medicine.

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that the CPME recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision. In addition, the agency's official scope of recognition be revised to change the recognized preaccreditation category from "candidate status" to "provisional accreditation."

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§602.15(a)(2-4)	§602.15(b)	§602.16(a)(1)(i)	§602.17(f)	§602.21(a)(b)
§602.21(c)	§602.22(a)(3)	§602.23(a)	§602.24(e)	§602.24(f)(2)
§602.24 (f)(3)				

The above issues consist of the agency's need to document its assessment of student achievement performance for each program; its conduct of its standards review process; and its application of its process for selecting agency evaluators and decision makers. It also needs to demonstrate that it has made minor revisions to a variety of operational policies.

Committee discussion of the agency's petition focused on the correct rewording of the agency's scope of recognition and on whether the communication between the staff and the agency during the review process was sufficiently clear. It was clarified by the staff and the agency that the agency made revisions to its pre-accreditation process and, as a result, the nomenclature in the agency's scope of recognition needed to be amended to reflect the change from "Candidacy" to "Provisional Accreditation". The agency also clarified that the issues that remain with achieving compliance of its policies are not the result of any lack of clarity in communications with staff and can be rectified during the year.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency and the Department staff analysis and report.

NACIQI Primary Readers:

Arthur Rothkopf
Cameron Staples

Representatives of the Agency:

Robert T. Yoho, Immediate Past Chair, CPME
Andrew Weiss, Former Chair, Current Member, CPME
Alan Tinkleman, Director, CPME

Third-Party Oral Comments:

None

C. The Council on Chiropractic Education, Commission on Accreditation (CCE)

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition:

The accreditation of programs leading to the Doctor of Chiropractic degree and single-purpose institutions offering the Doctor of Chiropractic program.

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that the CCE's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. In addition to the numerous issues identified in the staff report, NACIQI asks the agency to

demonstrate compliance with Section 602.13 dealing with the wide acceptance of its standards, policies, procedures, and decisions; and to address how its standards advance quality in chiropractic education.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§602.13	§602.14(a)	§602.14(b)	§602.15(a)(2)	§602.15(a)(3)
§602.15(a)(4)	§602.15(a)(5)	§602.15(a)(6)	§602.15(b)	§602.16(a)(1)(vi)
§602.16(a)(1)(vii)	§602.16(a)(1)(ix)	§602.19(b)	§602.19(c)	§602.20(a)
§602.20(b)	§602.22(a)(1)	§602.22(a)(2)(i-vii)	§602.22(a)(2)(viii)	§602.22(a)(3)
§602.22(b)	§602.22(c)	§602.22(c)(1)	§602.22(c)(2)	§602.22(c)(3)
§602.23(a)	§602.23(c)	§602.24(b)	§602.24(c)(1)	§602.24(c)(2)
§602.24(c)(3)	§602.24(c)(5)	§602.24(d)	§602.24(e)	§602.24(f)(2)
§602.24(f)(3)	§602.24(f)(4)	§602.25(f)	§602.26(d)	§602.27(a)(6-7)(b)
§602.28(b)	§602.28(c)	§602.28(d)	§602.28(e)	

The above issues consist of the agency’s need to address findings of noncompliance in several areas. In the sections addressing organizational and administrative requirements, the issues consist of the need for more information on the selection and categorization of its representatives, including appeals panel members, conflicts of interest, and recordkeeping. In the sections addressing required standards and their application, there is insufficient documentation regarding student achievement, site review information and follow-up, and program-level growth monitoring. In the sections addressing required operating policies and procedures, there is either insufficient information or an identified need to modify policies related to substantive changes, teach-outs, credit hours, appeals, and various notifications regarding agency actions.

The Committee heard testimony from 22 third-party commenters representing the individuals and associations listed below. Testimony included both positive and negative comments regarding the agency, though the preponderance of comments were negative. The negative comments were framed by a longstanding philosophical disagreement within the chiropractic community of the appropriate scope of practice of chiropractors. Commenters expressed concern with the agency’s most recent review of its standards and their disagreement as to what terminology should be included in the chiropractic standards. They also alleged a lack of inclusiveness and unwillingness by the agency to address the concerns of the commenters and alleged anti- competitive behavior, lack of integrity, and conflicts of interest within the operation of the agency so pervasive as to impact the credibility of the chiropractic accreditation process. The positive comments supported the agency’s medically-based approach. Commenters stated that they felt that the agency had duly considered all viewpoints in its most recent review of its standards.

Committee discussion focused on clarifying and assessing the issues raised by the commenters. Although the Advisory Committee agreed with the staff recommendation that the agency be requested to submit a report on the issues identified in the staff analysis, the Committee’s concerns for the breadth of public concern compelled the Committee to further recommend that the agency also demonstrate compliance with

Section 602.13 dealing with the wide acceptance of its standards, policies, procedures, and decisions, and address how its standards advance quality in chiropractic education. Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency and the Department staff analysis and report.

NACIQI Primary Readers:

Arthur Rothkopf
Frank Wu

Representatives of the Agency:

David J. Wickes, Council Chair, CCE
Craig S. Little, Council Development committee Chair and Vice-Chair, CCE
S. Ray Bennett, Director of Accreditation Services, CCE

Third-Party Oral Comments:

Robert Braile, Georgia Council of Chiropractic
Clint Erickson, Council of Chiropractic Philosophy
Christopher Kent, Foundation for Vertebral Subluxation
Mattie Leto, West Village Chiropractor
Kathleen Linaker, D'Youville College
Michael McLean, no affiliation given
Joe Merlo, Good Vibrations Family Chiropractic
Sarah Mongold, Student
Judith Nutz Campanale, International Federation of Chiropractors & Organizations
David O'Bryon, Association of Chiropractic Colleges
William O'Connell, American Chiropractic Association
Lawrence O'Connor Federation of Chiropractic Licensing Boards
Corey Rodnick, no affiliation given
Henry Rubinstein, Doctors for Excellence in Chiropractic Education
Gary Shultz, University of Western States
Steve Tullius, Movement for Chiropractic Quality and Integrity
John Ventura, no affiliation given
James Turner, International Chiropractors Association
Stephen Welsh, Care-More Chiropractic Center
Ronald Henderickson, no affiliation given
Donald Hirsh, no affiliation given
John Bomhoff, no affiliation given

D. Commission on English Language Program Accreditation (CEA)

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition: The accreditation of postsecondary, non-degree-granting English language programs and institutions in the United States.

Committee Recommendation: Vote of 13-0 (no recusals).

Recommend that the CEA's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§602.15(a)(3)	§602.19(b)	§602.19(c)	§602.22(a)(2)(ix-x)	§602.22(a)(3)
§602.22(b)	§602.26(b)	§602.26(d)	§602.26(e)	

The above issues concern primarily the agency's monitoring processes, its appeal policies and procedures, and its substantive change policies and processes.

The Committee sought clarification of two issues. Regarding the agency's Federal link, the agency addressed the Committee's question regarding its link to Homeland Security by clarifying that in December 2010, the President of the United States signed the Accreditation of English Language Training Programs Act (Public Law 111 306) that requires that all independent English language training institutions must be accredited by December 2013 by a recognized accrediting agency. Regarding the agency's policy that institutions submit substantive change requests when adding a program, the agency and the Department clarified that the agency policy applies to institutions it accredits and the agency needed to demonstrate its effective application of its policy. It was also clarified that if the agency chooses to apply this policy to its accredited programs as well as to its institutions, it is its prerogative to do so.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Reader:
Frank Wu

Representatives of the Agency:
Rebecca Smith-Murdock, Commission Chair, CEA
Teresa D. O'Donnell, Executive Director, CEA

Third-Party Oral Comments:
None

E. **Joint Review Committee on Education in Radiologic Technology (JRCERT)**

Action for Consideration: Petition for renewal of recognition

Current Scope of Recognition: The accreditation of education programs in radiography, magnetic resonance, radiation therapy, and medical dosimetry, including those offered via distance education, at the certificate, associate, and baccalaureate levels.

Committee Recommendation: Vote of 12-0 (no recusal)

Recommend that the JRCERT's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§602.15(a)(2) §602.15(a)(4) §602.22(a)(1) §602.22(a)(3) §602.23(e)
§602.24(c)(1) §602.24(c)(2) §602.24(c)(5) §602.28(b) §602.28(d)

The above issues concern the agency's organizational and administrative requirements, and required operating policies and procedures. In brief, the issues focus on the agency's appeals panel membership, substantive change policy, and documentation of substantive changes, public disclosure correction, teach out plans and agreements, and agency action in response to an adverse action by another body.

The Committee had no questions for staff or the agency.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:

Arthur Keiser
Carolyn Williams

Representatives of the Agency:

Deborah Gay Utz, Chair, JRCERT
Darcy Wolfman, Board member, JRCERT
Leslie F. Winter, Chief Executive Director, JRCERT

Third-Party Oral Comments:

None

F. **North Central Association Commission on Accreditation and School Improvement (NCA-CASI)**

Action for Consideration: Petition for renewal of recognition and a request for an expansion of the agency’s geographic scope of recognition to a national scope.

Current Scope of Recognition: The accreditation and preaccreditation (“Candidacy status”) of schools offering non-degree, postsecondary education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, Wyoming, and in the Navajo Nation.

Requested Scope of Recognition: The accreditation and preaccreditation (“Candidacy status”) *throughout the United States* of non-degree granting career and technical education institutions.

Advisory Committee Recommendation: Vote 9-3 (no recusals).

Recommend that the NCA CASI’s recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into full compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Further recommend that the Senior Department Official defer deciding whether or not to grant NCA CASI’s request for expansion of scope pending receipt of the compliance report and consideration of the materials contained in it responsive to the issues raised in the staff analysis with respect to the request for expansion. Also recommend a limitation on the agency to not grant accreditation to any new institution. Such continuation and limitation shall be effective until the Department reaches a final decision.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§602.13	§602.14(a-b)	§602.15 (a)(2-6)	§602.16 (a)(1)(i-iv)
§602.16 (a)(1)(vi)	§602.16 (a)(1)(vii)	§602.16 (a)(1)(viii)	§602.16 (a)(1)(ix)
§602.16 (a)(2)	§602.17(a)	§602.17(b-c)	§602.17(e-f)
§602.18(a-c)	§602.19(a-d)	§602.20(a-b)	§602.21(a-c)
§602.22(a)(1)	§602.22(a)(3)	§602.22(c)	§602.22(c)(1)
§602.22(c)(3)	§602.22(d)	§602.23(a-b)	§602.24(a-b)
§602.24(c)(2)	§602.24(c)(5)	§602.24(e)	§602.24(f)(2-4)
§602.25(f)	§602.26(a-b)	§602.26(d-e)	§602.27(a)(6-7),(b)
§602.28(a)	§602.28(e)		

The findings consist of issues surrounding the agency's administrative capacity, its establishment and application of its standards, policies, and accreditation processes, and

its overall reliability as a recognized agency and Title IV gatekeeper. More specifically, in question are -- the composition of the Board of Directors, Appeals Panel, and all review entities; whether the agency has adequate administrative and physical resources and how they are dedicated to postsecondary vocational accreditation; that the agency has developed and effectively implemented processes and procedures that demonstrate an effective application of the accreditation evaluation and the monitoring processes; developed and implemented processes and procedures that demonstrate the effective application of the operating requirements outlined in the criteria for recognition; effectively applied clearly defined standards that are compliance-based and specific to postsecondary vocational education programs that have measurable thresholds to determine compliance; developed and implemented training on the interpretation and application of the agency's postsecondary vocational education standards and the review responsibilities and procedures of the Board, the Appeals Panel, and the site team evaluators; developed and applied clearly sustainable timelines for enforcing its standards, and operating procedures, such as conducting standards review process or sending the notifications of decisions to all relevant entities. In summary, at issue is whether the agency has standards that have a comprehensive component for institutions to conduct an in-depth assessment for educational quality or that its site evaluators and decision makers consistently apply its standards, policies, and procedures to demonstrate a comprehensive assessment before making a recommendation or a decision and that its application of its standards and accreditation processes conform to the Committee's expectation of an accrediting agency that accredits these types of institutions.

The Committee heard testimony from two third-party commenters representing the associations listed below. Testimony was positive regarding the quality of the evaluation process and the accrediting support provided by the agency and framed the issues facing students and institutions in the event of a decision to de-recognize the agency.

Committee discussion focused on clarifying and assessing a number of the non-compliance issues identified in the staff analysis, such as separate and independent, agency governance, conflict of interest, application of student outcome standards, agency documentation, etc. In response to questions, the agency acknowledged that it needs to improve its operations; for example, it noted a need to further develop and expand its training effort on the standards and its consistent application of those standards as well as to improve its documentation of its processes and actions.

The Committee engaged the agency representatives in a discussion to clarify their testimony. The allegations by the agency of Department staff bias and inconsistent application of the regulation were explored by Committee members. The Committee summarized the issues as perceived by the agency to be in three areas- where the agency disagrees with staff interpretation of the law; where the agency believes it has received inconsistent guidance/direction, and where the agency believes it is compliant and that staff made factual errors in its analysis. The agency concluded its presentation with a reminder of its 37-year history of Secretarial recognition.

After receiving clarification on the Department's review process, the Committee remained concerned that there are some serious underlying substantive problems with the agency's operation. These concerns persuaded the Committee to recommend a limitation of no new (recognized) accreditations and to recommend that the agency's request for an expansion of its scope be deferred. However, without specific evidence of risk to the public trust, the Committee voiced concern about the repercussions of a denial of the agency's recognition on students and institutions and recommended that the agency's current recognition be continued and the agency afforded 12-months to demonstrate compliance with the cited criteria and their effective application.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency and the Department staff analysis and report.

NACIQI Primary Readers:

Arthur E. Keiser
Federico Zaragoza

Representatives of the Agency:

Kenneth Bergman, General Counsel, NCA-CASI
Mark Elgart, President and CEO, AdvancED
Chelle Travis, Vice President, Career Technical and Postsecondary Services
Steve Winnick, Education Counsel

Third-Party Oral Comments:

Barbara Nicol, Adult Workforce Education, Ohio Board of Regents
Thomas Peters, Symbol Job Training, Inc.

II. Petitions for Renewal of Recognition State Agencies Recognized for the Approval of Public Postsecondary Vocational Education

A. New York State Board of Regents, State Education Department, Office of the Professions (NYBRVE)

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition: State agency for the approval of public postsecondary vocational education.

Committee Recommendation: Vote 12-0 (no recusals).

Recommend that the NYBRVE's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the Criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§603.24(a)(2)(ii)	§603.24(a)(2)(iii)(A)	§603.24(a)(3)(ii)(B)	§603.24(b)(1)(i)
§603.24(b)(1)(ii)	§603.24(b)(1)(vi)	§603.24(b)(1)(vii)	§603.24(c)(1)
§603.24(c)(2)	§603.24(c)(3)	§603.24(c)(4)	

The above issues consist primarily of the need for the agency to demonstrate that it has sufficient financial support to conduct site visits in accordance with the regulatory expectations and to establish and convene an advisory committee that will make a meaningful contribution to the decision-making process. Following a Committee question on the cost issues and need for flexibility, the agency representative acknowledged an understanding of the compliance issues and reported on the initial steps already being taken to address the compliance concerns.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency and the Department staff analysis.

NACIQI Primary Readers:

George French
Larry Vanderhoef

Representatives of the Agency:

William Murphy, Assistant Director Professional Education, New York State
Education Department

Third-Party Oral Comments:

None

B. Oklahoma Board of Career and Technology Education (OBCTE)

Action for Consideration: Petition for renewal of recognition and a request for an expansion of scope to explicitly include its accreditation of institutions offering programs via distance education

Current Scope of Recognition: State agency for the approval of public postsecondary vocational education.

Requested Scope of Recognition: State agency for the approval of public postsecondary vocational education *including its accreditation of institutions offering programs via distance education.*

Committee Recommendation: Vote of 13-0 (no recusals).

Recommend that the OBCTE's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report

demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

By this recommendation, the Committee also deferred a recommendation on the agency's request for an expansion of its scope to include distance education until the agency addresses the concerns raised in the Department staff report.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§603.24(a)(1)(iii)	§603.24(a)(2)(iii)(A)	§603.24(a)(3)(i)	§603.24(a)(3)(ii)
§603.24(a)(3)(ii)(A)	§603.24(a)(3)(ii)(B)	§603.24(b)(1)(i)	§603.24(b)(1)(vii)
§603.24(b)(1)(xi)	§603.24(d)(1)		

The above issues focus primarily on two areas: the review process and distance education. More specifically, they deal with the need for corrections to the agency's site evaluator training manual and the need for more information in areas such as the selection and training of site evaluators; how the agency crosswalks its requirements with industry or national accrediting agency standards in order to conduct joint reviews; how the agency ensures that distance education components are approved and evaluated in a consistent manner across all of the agency's vocational institutions; and how the agency monitors changes that occur during an institution's accreditation period.

The Committee had no questions for staff.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:

Beter-Aron Shimeles

Cameron Staples

Representatives of the Agency:

No representatives attended

Third-Party Oral Comments:

None

C. **Pennsylvania State Board of Vocational Education, Bureau of Career and Technical Education (PBCTE)**

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition: State agency for the approval of public postsecondary vocational education.

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that the PBCTE's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into full compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition, except for the issues listed below. They include 34 C.F.R.

§603.24(a)(2)(ii) §60.24(b)(1)(i) §603.24(b)(1)(ix) §603.24(b)(2)(ii)
§603.24(b)(2)(iii) §603.24(b)(2)(iv)

The above issues focus primarily on the agency's need to demonstrate sufficient financial capacity and application of its policies and procedures. The Committee sought clarification of the financial capacity of the agency; the agency clarified that while the budget was less than the previous budget, it could demonstrate that it is sufficient to conduct all necessary accreditation activities. The Committee then engaged the agency in a brief discussion of why the agency participates in the recognition process. The agency responded that they don't see this as another hoop to jump through but rather a beneficial process, particularly as Pennsylvania is a local autonomy state. The recognition process, according to the State agency, has ensured the State has quality career and technical education by enabling it to establish standards and require that the programs are meeting quality standards.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:

Arthur Rothkopf
Federico Zaragoza

Representatives of the Agency:

Lee Burket, Director, Bureau of Career and Technical Education, PBCTE
Tamalee Brassington, Manager, Division of Adult and Postsecondary
Education, PBCTE
Beth Marshall, Accreditation Coordinator, PBCTE

Third-Party Oral Comments:

None

III. Petitions for Renewal of Recognition State Agencies and Accrediting Bodies Recognized for the Approval of Nurse Education

A. Kansas State Board of Nursing (KSNB)

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition: State agency for the approval of nurse education.

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that KSBN's requested renewal of recognition with its current scope of recognition be granted for a period of 4 years based on the agency's compliance with the Secretary's criteria for recognition.

Comments: The Committee had no questions for staff. The Committee found the agency to be operating in compliance with the criteria for recognition.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:

George T. French

Anne Neal

Representatives of the Agency:

No representatives attending

Third-Party Oral Comments:

None

B. Maryland Board of Nursing (MSBN)

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition: State agency for the approval of nurse education.

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that the MDBN's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition of State agencies, except for the issues listed below. They include

3 3(c) 3(e) 3(f)

The above issues consist of the need for the agency to demonstrate that it collects and assesses all information required by the criteria. The Committee confirmed that Department staff had not been provided the documents compiled by the agency

subsequent to the final staff report and referenced by the agency in its remarks to the Committee.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the staff analysis and report.

NACIQI Primary Readers:

George T. French

Anne Neal

Representatives of the Agency:

Emmaline Woodson, Deputy Director and Director of Advanced Practice, MBN

Pamela Ambush-Burris, Director of Education and Licensure, MBN

Patricia Kennedy, Director of Education, Examination and Research, MBN

Third-Party Oral Comments:

None

C. **New York State Board of Regents, State Education Department, Office of the Professions (Nursing Education)**

Action for Consideration: Petition for renewal of recognition.

Current Scope of Recognition: State agency for the approval of nurse education.

Committee Recommendation: Vote of 12-0 (no recusals).

Recommend that the NYBRN's recognition be continued to permit the agency an opportunity, within a 12-month period, to bring itself into compliance with the criteria cited in the staff report and that it submit for review within 30 days a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition of state agencies, except for the issue listed below.

3(f)

The above issue consists of the need for the agency to demonstrate that it requires its programs to submit audited financial statements at least every other year and to provide evidence that the programs comply with the agency's requirement for submission of a current catalogue. The agency representative acknowledged understanding of the compliance issue and the initial steps already being taken to address the compliance concerns.

Committee members had no questions for the agency representative or staff concerning the agency's petition.

Written Materials Reviewed by the Committee: Petition and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:

George French
Larry Vanderhoef

Representatives of the Agency:

William Murphy, Assistant Director Professional Education, New York State
Education Department

Third-Party Oral Comments:

None

IV. Compliance Reports

A. **American Optometric Association, Accreditation Council on Optometric Education (ACOE)**

Action for Consideration: Interim report.

Current Scope of Recognition:

The accreditation in the United States of professional optometric degree programs, optometric technician (associate degree) programs, and optometric residency programs, and for the preaccreditation categories of "Preliminary Approval" for professional optometric degree programs and "Candidacy Pending" for optometric residency programs in Department of Veterans Affairs facilities.

Committee Recommendation: Vote of 12-0 (no recusals).
Accept the report.

Comments: The Committee found that the agency has responded satisfactorily to the issues that were raised in the Secretary's letter of July 1, 2008.

Written Materials Reviewed by the Committee: Interim report and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:

Earl Lewis
Anne Neal

Representatives of the Agency:

J. Bart Campbell, Chair, ACOE
Joyce L. Urbeck, Administrative Director, ACOE

Third-Party Oral Comments:
None

B. **Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges (ACCJC)**

Action for Consideration: Interim report.

Current Scope of Recognition: The accreditation and preaccreditation ("Candidate for Accreditation") of two-year, associate degree-granting institutions located in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and the Republic of the Marshall Islands, including the accreditation of such programs offered via distance education at these colleges.

Committee Recommendation: Vote of 12-0 (no recusals).
Accept the report.

Comments: The Committee found that the agency has responded satisfactorily to the issue that was raised in the Secretary's letter of July 1, 2008.

Written Materials Reviewed by the Committee: Interim report and supporting documentation submitted by the agency, and the Department staff analysis and report.

NACIQI Primary Readers:
Arthur Keiser
William "Brit" Kirwan

Representatives of the Agency:
Barbara A Beno, President, ACCJC
Michael T. Rota, Commission Chair, ACCJC

Third-Party Oral Comments:
None

V. **Informational Report**

A. **North Central Association of Colleges and Schools, The Higher Learning Commission (HLC)**

The agency provided the Committee members with both a written report and a brief oral presentation on the two Initial Accreditation actions taken by the agency during the time period November 2010 through October 2011. Committee members engaged the agency in a brief discussion on what happens to institutions that do not succeed in obtaining accreditation. These were information-only reports; there was no action taken by the Committee.

Representatives of the Agency:

Sylvia Manning, President, HLC

Other Committee Business

On Thursday, December 15 from 1:00 p.m. – 2:00 p.m., the Committee heard a presentation by Dr. Jamie Merisotis, President and CEO of the Lumina Foundation for Education, and Holly McKiernan, Vice President and General Counsel, Lumina Foundation for Education, on the current work of the Foundation, in particular, the Degree Qualifications Profile and the Goal 2025 initiative.

Lumina's Goal 2025, simply stated, is that by the year 2025, 60 percent of Americans will hold high quality college degrees and credentials. The Degree Qualifications Profile is a framework for clearly defining learning outcomes for each of the three degree levels (associate's, baccalaureate, and master's). It outlines five areas of student learning -- specialized knowledge, broad knowledge, intellectual skills, applied learning, and civic learning. It's a baseline set of reference points for what students in any field should be able to do to earn their degrees and can serve as a useful tool for anyone interested in defining the meaning and relevance of postsecondary credentials.

After the presentation, there were robust questions and comments from the members on student learning outcomes and the role of accreditation in the effort to ensure quality in postsecondary education that is focused on student learning and student outcomes.

POLICY-RELATED DELIBERATIONS BY THE COMMITTEE ON REAUTHORIZATION OF THE HIGHER EDUCATION ACT (HEA)

During the past year, the Committee held hearings, solicited written and oral comments, and developed a draft set of options and a consensus document towards development of a Report of Recommendations for the U.S. Secretary of Education on the reauthorization of the Higher Education Act (HEA) scheduled for 2013.

For this session, Dr. Susan Phillips, Chair, Subcommittee for Policy, provided an overview of the subcommittee's synthesis of the information gathered from previous sessions into thirty-three options and subsequently into a coherent set of recommendations. The options are organized by the following cluster issues:

- The linkage of accreditation and eligibility for Title IV funds
- The Triad of actors in educational quality assessment
- The State role in quality assurance
- The role and scope of accreditors
- Data as an essential tool in quality assurance
- Data in service of public and consumer information
- The role of the NACIQI as a Federal advisory body.

The Committee deliberated and prioritized their recommendations by a "straw poll" of non-binding expressions of current thinking identifying areas where there was a high degree of agreement and others where the members were more divided. In the area--

- **The linkage of accreditation and eligibility for Title IV funds**
 - Option A- Retention of accreditation in the institutional eligibility process
 - Option B- Separation of accreditation from the federal aid eligibility process
 - Option C- Modification of the linkage between accreditation/institutional eligibility

The straw poll results reflected nine members supporting Option A and three members supporting some form of delinking accreditation from institutional eligibility.

- **The "Triad " of actors in accreditation quality assurance**
 - Option 1- Clarify Triad: articulate common understandings of the responsibilities of each member of the Triad
 - Option 2- Triad Communication: Coordinate and increase communications to achieve greater commonality across the assurance/eligibility enterprise
 - Option 3- Remove financial analysis from accreditation: Reassign it from accreditors to the Federal level; Promote state engagement with consumer protection and decrease the evaluation of program quality; Focus accreditation activity on program quality.

The straw poll results reflected unanimous support for Options 1 and 2. In terms of reducing overlap and increasing specialization as outlined in Option 3, the Committee members were generally in support of each of the emphases while suggesting a need for further specificity of each area.

- **The State role in quality assurance**
- Option 4- Consistency across the enterprise
- Option 5- Fed convene
- Option 6- Cross state activity
- Option 8- More consumer protection

Committee deliberations considered the variability in the responsibilities and approaches to quality assurance monitoring across States. There was a sense that the issue may not be any lack of oversight but the lack of communication among States, accrediting commissions and the Department and a desire to strengthen communication and cooperation among the actors along with the mechanisms to achieve this.

On-line education was discussed in the context of cross state activity (variability and state engagement) and a sense that greater consistency in the requirements for on-line education, such as minimum (consumer protection or quality) standards for an online institution, may have unintended consequences. An approach may be to advance “discussion and convening” as opposed to a set of specific solutions.

Some members suggested that NACIQI focus on Federal accrediting issues and that there is less value and authority for NACIQI to advise the states on their roles and responsibilities.

The straw poll results reflected unanimous support for options 4 and 5 and almost unanimous support (10:11 and 9:11, respectively) for Options 6 and Option 8.

- Option 7- Cross-State congruence of definitions
- Congruence of definitions raises issues similar to other issues that involve cross-State issues noted above. Of particular concern is the question of how to accomplish this without altering State regulation authority or interest. The straw poll results reflected (5:9) support for further consideration of this option.

- **Role and scope of accreditors**

- Option 16- Study costs: undertaking a study of the cost of accreditation
- Option 17- Make criteria less prescriptive: undertake review of current criteria to make them less intrusive and prescriptive
- Option 18- What data needed/ at what cost: reconsider data collected by all actors to evaluate cost and utility of data

The Commission discussion highlighted the merits of a study to assess data collection activity in higher education and concerns as to its cost and what entity is best situated to conduct such an activity. Other discussion points included what granularity of data is collected, how data collection affects the quality review process, and the level of microanalysis currently required of accreditors and the federal actors.

The straw poll results reflected limited support (4:11) for Option 16 while substantially more support for Option 17 (10:11) and Option 18 (11:11).

- o Option 9- Indemnification; from risks in gatekeeping
- o Option 13- Risk assessment: incorporate methodology of risk assessment in the recognition criteria
- o Option 14- Flexibility/Expedited: enable varied systems of review
- o Option 15- Decision Gradation Options: enable more gradations in decision-making

Discussion focused on concerns for abuse in a system that moves away from standardization. Fairness and consistency need to be maintained and there need to be protections against discrimination. The concept of baseline eligibility was posed as well as the concept of flexibility beyond the baseline and the potential for the concept of individualism. Other ideas for further consideration included basic (baseline) eligibility vs. qualitative graduations of excellence. Support was expressed for giving accreditors responsibility and authority to take on the challenge for proposing ideas that affect their decisions.

Discussion of Option 9 broached alternatives to litigation as well as current and potential roles and functions of the various actors in the litigation process. There was opposition to any effort to place limitations on the right to litigate as well as opposition of engaging the federal government in taking responsibility for processing litigations.

The straw poll results reflected unanimous support for Options 13 and 14; (10:11) support for Option 15, and (7:11) for pursuing Option 9.

- o Option 10- Accreditor responsible for institutional performance
- o Option 11- Mission/sector rather than region
- o Option 12- Accreditor choice

Committee discussion of these options raised comments, questions, support and concerns, and a level of ambiguity for refocusing private, accrediting agency scope of operations to academic mission rather than geographic variables, reporting on aggregate institutional performance and accountability, defining “performance” in this context, ascertaining the validity of aggregated data sets, and providing institutions with greater choice in selecting their accreditor.

The straw poll results support (10:11) for Option 11 and substantially less support for Option 12 (8:11). Option 10 was broken into two facets: on reporting requirements, the vote was (6:11) and on further consideration of mechanisms for accreditor responsibility for performance of institutions, the vote was (1:11).

- **Data as an Essential Tool in Quality Assurance**

- o Option 19- Shared data: between Federal government and accreditors
- o Option 20- Define data set for federal interest and institutional improvement
- o Option 21- Outcome data needed: consistent definitions; sans student learning outcome

- o Option 22- Appropriate outcome data thresholds
- o Option 23- Audit data elements; accuracy and reliability of data.

Discussion included concerns under Option 19 regarding the appropriateness of the accreditors' role in areas outside of academic quality such as institutional financial responsibility, governance, institutional capacity, etc. Specifically, in reference to Option 23, the discussion involved concepts of self-certification vs. audits, levels of accountability for accurate data and associated consequences including cost to verify. Questions were raised about the scope of data to be audited, the responsible actors, and mechanisms that may already be in place, such as IPEDS, to address this area.

The straw poll results reflected almost unanimous support for Options 19, 20, and 23 (10:11) but minimal support for Option 21 (6:11) and Option 22 (3:11).

- o Option 24- Data privacy
- o Option 25- Unit record system ; IPEDS
- o Option 26- Federal mandate for data definitions

Discussion highlighted the need for data to be available via a database that's workable and timely, sensitive to individuals' privacy. The limitations and necessary areas for improvements to the IPEDS were raised as potential considerations.

The straw poll results support Option 24 (9:10) and Option 25 (9:10). Option 26, the issue of a federal mandate on accrediting agencies to apply common data definitions and encouraging their use by States, was not supported for further development. The vote was (1:10)

- **Data in service of public and consumer information**

- o Option 27- Public accreditation reports
- o Option 28- Public members

The issue of increasing public and consumer information (accountability) raised a number of considerations: clarification of what types of reports should be designated for public record and/or what information should be included, for example, interim, evaluative, final report documents. Should the information be data driven or provide more qualitative information? What sets of information best inform the public? How can it be sufficiently consistent, transparent and consumer-friendly and who is responsible for making the information public? How will it change the exchange and reporting that is currently taking place?

The straw poll results support Option 27 (8:10); on Option 28 support is (7:9)

- **The role of the NACIQI as a Federal advisory body.**
 - o Option 30- NACIQI decisions gradations

The discussion reflected unanimous support (11:11) for incorporating greater nuance in the scope of recommendations, variations in type and depth of recommendations and in the timelines, that the NACIQI is now afforded by regulation.

- o Option 29- NACIQI role in policy

The Committee discussion reflected on the Committee's functions, the language of the Statute, the charge by the Secretary to provide advice, and the breadth of knowledge and experience of the Committee membership. The straw poll results reflected unanimous support (8:8) for Option 29.

The session closed with Chair Studley outlining next steps for the writing team to take the discussions of the Committee and develop the draft report for distribution to the full Committee for comment. Following this, an open period of comment on the draft final report will occur before the tele-meeting to take final action on the report.