

UNITED STATES DEPARTMENT OF EDUCATION

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NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL
QUALITY AND INTEGRITY

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MEETING

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FRIDAY
JUNE 10, 2011

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The Advisory Committee met in the Commonwealth Ballroom in the Alexandria Holiday Inn, 625 First Street, Alexandria, Virginia, at 8:30 a.m., Cameron Staples, Chair, presiding.

PRESENT:

CAMERON C. STAPLES, Committee Chair,
Partner, Neubert, Pepe, & Monteith law
firm

ARTHUR J. ROTHKOPF, Committee Vice-Chair,
President Emeritus, Lafayette College

ARTHUR E. KEISER, Chancellor, Keiser
Collegiate System

EARL LEWIS, Provost and Executive Vice
President for Academic Affairs, Emory
University

WILFRED M. McCLAY, SunTrust Bank Chair of
Excellence in Humanities, University of
Tennessee at Chattanooga

ANNE D. NEAL, President, American Council of
Trustees and Alumni

WILLIAM PEPICELLO, Provost and President,
University of Phoenix

SUSAN D. PHILLIPS, Provost and Vice-President
for Academic Affairs, State University
of New York at Albany
BETER-ARON SHIMELES, Student Member,
Fellow, Peer Health Exchange
JAMIENNE S. STUDLEY, President and CEO, Public
Advocates, Inc.
LARRY N. VANDERHOEF, Former Chancellor,
University of California, Davis
FRANK H. MEMBER WU, Chancellor and Dean,
University of California, Hastings
College of Law
FREDERICO ZARAGOZA, Vice-Chancellor of
Economic and Workforce Development,
Alamo Colleges

STAFF PRESENT:

MARTHA J. KANTER, Under Secretary
MELISSA LEWIS
SALLY WANNER
KAY GILCHER
CAROL GRIFFITHS
ELIZABETH DAGGETT
KAREN DUKE
JENNIFER HONG-SILWANY
JOYCE JONES
CHUCK MULA
STEVE PORCELLI
CATHY SHEFFIELD
RACHAEL SHULTZ

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:37 a.m.

3 Welcome and Introductions

4 CHAIR STAPLES: I'd like to call
5 the meeting of NACIQI to order, and welcome
6 everyone who is here on the committee and in
7 the audience.

8 As you're aware, this is our third
9 day of deliberations and we're well into our
10 policy discussions, and we look forward to
11 having more discussions and hearing from
12 panelists and setting a better direction, in
13 terms of our policy recommendations.

14 Just before we start the official
15 part of the meeting, I'd like to have us go
16 around the table, since I know the audience
17 may be different each day, and it's useful to
18 have our introductions. My name's Cam
19 Staples. I'm the chair of NACIQI. Arthur?

20 MEMBER ROTHKOPF: Arthur Rothkopf,
21 Vice Chair.

22 MS. PHILLIPS: Susan Phillips,

1 Chair of the Policy Subcommittee, Provost and
2 Vice President for Academic Affairs at the
3 State University of New York in Albany.

4 MEMBER NEAL: Still Anne Neal,
5 president of the American Council of Trustees
6 and Alumni.

7 MEMBER SHIMELES: Aron Shimeles,
8 BRA Fellow, Peer Health Exchange.

9 MEMBER WU: Frank Wu, Chancellor
10 and Dean, University of California at Hastings
11 College of Law.

12 MEMBER KEISER: Arthur Keiser,
13 Chancellor of Keiser University.

14 MEMBER LEWIS: Earl Lewis,
15 Provost, Emory University.

16 MEMBER ZARAGOZA: Federico
17 Zaragoza, Vice Chancellor, Economic and
18 Workforce Development, Alamo Colleges.

19 MEMBER McCLAY: Wilfred McClay,
20 University of Tennessee.

21 MEMBER VANDERHOEF: Larry
22 Vanderhoef, University of California-Davis.

1 MEMBER PEPICELLO: Bill Pepicello,
2 President, University of Phoenix.

3 MEMBER STUDLEY: Jamienne Studley,
4 Public Advocate, San Francisco.

5 MS. GILCHER: Kay Gilcher,
6 Director of Accreditation Division, U.S.
7 Department of Education.

8 MS. LEWIS: Melissa Lewis, NACIQI
9 Executive Director, U.S. Department of
10 Education.

11 CHAIR STAPLES: Thank you, and I
12 think we may have, as the day wears on, I know
13 some members have other commitments in terms
14 of departing for the day.

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1 Election of New NACIQI Chair

2 So we're going to move, we're going to
3 shift our agenda a little, and move to the
4 election of a new NACIQI chair, before we
5 start the panel discussions, to make sure we
6 have a quorum in sufficient numbers here.

7 Before we start that, I just want
8 to mention that I really have enjoyed serving
9 as chair. As I've mentioned to the members,
10 I'll be taking on a new position in July, and
11 I think this is a good move for me to step
12 down as chair.

13 I look forward to remaining as a
14 member, and it reminds me of stories about
15 boat owners, those of you who are boat owners.

16 The two happiest days in a boat owner's life
17 is the day you buy a boat and the day you sell
18 a boat. I was very happy to be elected chair,
19 and I'm finding I'm somewhat happy to be
20 stepping down as chair.

21 But I'm looking forward to
22 continuing to serve with you, and at this

1 time, I open the floor to nominations.
2 Arthur?

3 MEMBER ROTHKOPF: Yes. First,
4 before I make a nomination, I'd like to
5 express my own view, and I think those of, I'm
6 sure, other NACIQI members, to thank Cam for
7 his leadership in getting this group going.
8 It's a disparate group of people with a lot of
9 opinions, and always to keep us on track.

10 But Cam, thank you very much for
11 your leadership over these last several
12 months.

13 (Applause.)

14 CHAIR STAPLES: Thank you.

15 MEMBER ROTHKOPF: I'd like to
16 nominate, and Cam, I gather, is remaining --
17 you're remaining as chair until June 30?

18 CHAIR STAPLES: Until June 30th,
19 that's right.

20 MEMBER ROTHKOPF: I'd like to
21 nominate as chair of NACIQI our colleague
22 Jamie Studley, and ask that she be elected

1 effective July 1 of 2011, and serve until the
2 end of her term, which is some time in
3 September of 2013. So I move that.

4 CHAIR STAPLES: There is a motion
5 on the floor. Is there a second?

6 MS. PHILLIPS: Second.

7 CHAIR STAPLES: Move and seconded.
8 Are there any other nominations?

9 (No response.)

10 CHAIR STAPLES: Seeing no
11 nominations, all in favor of electing Jamie
12 Studley as the next NACIQI chair, please raise
13 your hand?

14 (Show of hands.)

15 CHAIR STAPLES: Any opposed?

16 (No response.)

17 CHAIR STAPLES: Congratulations.

18 MEMBER ROTHKOPF: Other than
19 Jamie.

20 CHAIR STAPLES: We won't count the
21 opposing or abstentions. The motion passes
22 and Jamie will assume the chairmanship on July

1 1st. Congratulations.

2 MEMBER STUDLEY: Thank you very
3 much. It always looks great to have a vote
4 from the outside, so I too am honored. I
5 thank Arthur for the nomination and all of you
6 for your confidence, and I look forward to
7 working with you on these important issues.

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1 Terms of Chair and Vice Chair

2 CHAIR STAPLES: Without trying to
3 take too much time on this, I do want to
4 mention that it may make sense for us as a
5 Committee to adopt a rule around the terms of
6 our leaders. As you may recall, when we
7 elected the officers last fall, we didn't
8 specify for how long.

9 Arthur and I wondered how long our
10 terms were. Arthur's motion sets Jamie's term
11 at effectively a three-year term, if you go
12 back to our swearing in in September, three
13 years from last September, and that would be
14 the length of her term of service.

15 So I guess it would make sense, in
16 my opinion, and I would invite any motion to
17 this effect, that we set the term of the chair
18 and the vice chair for a three-year period,
19 and that would allow for a rotation of
20 leadership on a cycle that is predictable.
21 Art?

22 MEMBER ROTHKOPF: I have a

1 question about that, because you know, for
2 Jamie it's not an issue. But for future, we
3 have this strange appointment times.

4 CHAIR STAPLES: Well, we checked
5 that out, Art.

6 MEMBER ROTHKOPF: I'm not sure --
7 it's not going to flow, because we may have to
8 put somebody who's never done any chair, you
9 know, been a chair and just right at the
10 beginning of their term become the chair,
11 which may not be the best thing.

12 CHAIR STAPLES: Well, let me
13 answer your question, because we looked into
14 that. We weren't sure what the length of the
15 reappointment terms were, at least we couldn't
16 recall it by memory, and they are six years.

17 So we have members with three year
18 terms, four year terms and six year terms
19 presently, and then the replacements or
20 reappointments will be for six years. So I
21 mean it's your pleasure, but a three-year term
22 for chair and vice chair might coincide.

1 First of all, it will be the end
2 of the first group's term, and thereafter,
3 people will be appointed for six years. So it
4 would be roughly half of the term of
5 membership. If that's appealing to all of
6 you, then I would ask for a motion to set a
7 three-year term, starting from the date of our
8 assumption of office last September.

9 MEMBER ROTHKOPF: So moved.

10 CHAIR STAPLES: Is there a second?

11 MEMBER PEPICELLO: Second.

12 CHAIR STAPLES: Any further
13 discussion?

14 (No response.)

15 CHAIR STAPLES: All in favor say
16 aye or raise your hands. Sorry, that's what
17 we do here. Raise your hands.

18 (Show of hands.)

19 CHAIR STAPLES: Any opposed?

20 (No response.)

21 CHAIR STAPLES: Okay. So that
22 would set both Jamie and Arthur's term to

1 expire in September of 2013, at which time the
2 Committee would elect or reelect their
3 officers. Unless there's anything further on
4 this, we'll move to our regular agenda, and oh
5 yes, Melissa.

6 MS. LEWIS: For those in the
7 audience, thank you very much for coming, and
8 also thank you to our invited guest as well.
9 We appreciate your joining us today. I did
10 want to cover the procedures for making oral
11 comments for the public today.

12 There are applications out on the
13 registration table out front. Please complete
14 them. They'll be time-stamped and you'll
15 receive a laminated number and go in that
16 order. Up to ten people may comment
17 concerning either one of the two issues we'll
18 be reviewing today.

19 The TRIAD will be covered this
20 morning, and Accreditor Alignment, Scope and
21 Accountability will be covered this afternoon.
22 Each commenter will receive three minutes to

1 speak, up to three minutes to speak.

2 Also, there are no recusals today.

3 There are 13 members present. We are missing
4 Bruce Cole, Dan Klaich, Carolyn Williams and
5 Britt Kirwan, and that's all I have. Thank
6 you.

7 CHAIR STAPLES: Thank you. Any
8 other announcements? Seeing none, we'll
9 proceed to the next forum. Sue, did you want
10 to make any comments before we start?

11 MS. PHILLIPS: Just a quick note.
12 Again, this is a large banquet that we're
13 consuming over the course of a day and a half.
14 You'll find in the seat in front of you, the
15 table in front of you a quick summary of our
16 discussion yesterday, entitled "Issue 1."

17 Today, we take up two additional
18 issues. Again, bearing in mind that we know
19 that these aren't separate, and I'm sure that
20 there will be other topics that emerge. I'll
21 keep a running tab of issues that we might
22 want to add toward consideration for later,

1 and welcome the opportunity to hear from our
2 guests and to speak among ourselves. Thanks.

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1 Issue Two - The Triad

2 CHAIR STAPLES: Okay. Why don't we
3 proceed to the guests, who have been sitting
4 patiently at the table for the last 15
5 minutes. Peter Ewell and Marshall Hill,
6 please begin in whatever order you choose.

7 MR. EWELL: I think I'll start.
8 Thanks for having me back. That either means
9 I did a good job or I wasn't clear last time.

10 CHAIR STAPLES: Both.

11 MR. EWELL: So you'll see. I'm
12 supposed to kick off the discussion of the
13 Triad. I'll make a couple of initial remarks,
14 and then do two parts of this.

15 The initial piece is for you to
16 again be reminded about how kind of almost
17 unique this arrangement is, that I do a lot of
18 international work in quality assurance and
19 nobody does business the way we do. Now that
20 may be a good thing, that may be less of a
21 good thing. But in any case, it's fairly
22 unusual to have it this way.

1 Also, as you have heard before, from
2 me and from others, if one was to start from
3 scratch and build a quality assurance system,
4 this is not the one we would build. It's
5 something that has evolved over time, and you
6 know, has had some historical antecedents to
7 it and so on.

8 But actually, while I'm going to be
9 quite critical of the current state of
10 affairs, it's important to say at the outset
11 that the Triad has done a pretty good job,
12 that it's been fairly robust; it's survived a
13 lot of sturm and drang. It's managed to, I
14 think, get the job done in our typically
15 American inefficient way, and so on.

16 I'm reminded in thinking about this,
17 it's variously attributed to Churchill and to
18 Gandhi, the remark that democracy is the worse
19 form of government except for all the rest.
20 So when I said at my summing up at the last
21 NACIQI meeting that you asked me to do, "do no
22 harm," I think that you do need to think about

1 that, that the Triad has really worked well in
2 some respects.

3 Now I'm going to be very critical
4 for the rest of what I'm going to say. I want
5 to do two things. One is to take you
6 essentially on at least my tour of who these
7 players are and what their interests are,
8 because the members of the Triad are really
9 quite different.

10 They have different motivations,
11 they have different views of quality. They
12 have different strengths and constraints that
13 they bring to the table and so on, and that
14 all has to borne in mind.

15 Then the more fun part is
16 essentially what various people who advocate
17 you do about it, what are some of the fixes
18 that might be out there.

19 So let me start by reviewing the
20 basic players, and I'm going to add on, so
21 it's really a quadrad or a quartet or
22 something like that. But the first one is, of

1 course, the federal government. Remember that
2 the federal government's role in quality
3 assurance is intentionally limited.

4 There is no reference to education
5 in the federal constitution, and the role is
6 actually historically a fairly recent one.
7 It's one that began with large infusions of
8 federal dollars, beginning with the second
9 G.I. bill, but largely with the Higher
10 Education Act of 1965. And because the role
11 is indirect, having to do with essentially the
12 stewardship of funds, and the way those funds
13 are spent, quality is looked at really from a
14 federal perspective, in a quite distinct and
15 narrow way.

16 I mean there's first of all the
17 question of stewardship. A high quality
18 institution is one that essentially is an
19 institution that can be trusted with your
20 money, one that has good checks and balances,
21 that is well accounted for and all of that.

22 Going beyond that, a quality

1 institution is one that provides a degree with
2 some value in the marketplace, sufficiently so
3 that a student could pay back their loans.
4 That's another way of looking at it, and
5 that's where the whole debate about gainful
6 employment comes in and so on. That is a
7 legitimate place for the federal government to
8 be asking questions.

9 One final role that is not talked
10 about as much, but I think is tremendously
11 important, is the federal government as a
12 source of information.

13 The graduation rate statistics,
14 flawed though they may be, are put out by
15 IPEDS, through the graduation rate survey.
16 The standards for data collection, all of
17 those kinds of things are a tremendously
18 important piece of the federal piece of the
19 federal role.

20 Now talking about sort of issues and
21 complaints, the main problem with direct
22 federal role, and you can fix that if you

1 could persuade Congress to go along with you,
2 is that there are really no funds to do a
3 direct inspectorate role. If you were to take
4 over essentially the entire quality assurance
5 kind of thing, it would cost a lot of money.

6 One of the things that the federal
7 government gets through the Triad is
8 essentially a process that's fairly cheap.
9 It's not cheap for the institutions, but it's
10 cheap for the federal government. So that's
11 an issue.

12 Let me turn to the states. At least
13 three roles, I think, the state governments
14 play in quality assurance through the Triad.
15 There's the special role that they play as the
16 owner-operators of a set of public
17 institutions. They are directly responsible
18 for budgets there, and they have a direct
19 oversight role in that respect.

20 That means that the kind of question
21 that a state asks about a public institution
22 has a fair amount not just to do with the

1 quality of educational output, but with
2 efficiency. Are we getting bang for the buck?

3 Are we essentially getting our return on
4 state investment?

5 A second role is the role that the
6 state plays in its public agenda role, as the
7 keeper of the state's work force, of the
8 polity and so on. It wants degrees from any
9 source, whether it be private or public, that
10 have value in the marketplace, that contribute
11 to workforce needs and all of those kinds of
12 things.

13 Finally, the state has a strong role
14 in consumer protection, and that's where the
15 quality assurance role comes in most directly
16 through state licensure, licensure to operate.

17 That's where most of the problem is at the
18 moment, and Marshall may address this.

19 We haven't coordinated our remarks
20 well, but my organization, the National Center
21 for Higher Education Management Systems,
22 completed a survey for CHEA not too long ago,

1 and we're following that up with an oversight,
2 a survey of state oversight practices with
3 regard to licensure to operate.

4 It is all over the map. It is an
5 incredibly complicated, varied, difficult to
6 understand kind of picture, with more than one
7 agency responsible in many states. Oklahoma
8 has three for licensure. Sometimes it's the
9 SHEEO agency; sometimes it isn't and so on.
10 So I leave that as a problem that needs to be
11 addressed.

12 Now the accreditors. Accreditation
13 is, of course, an age-old institution. It
14 goes back to at least the 1880's or so in the
15 oldest of the regionals. It was put together
16 basically by the Academy for the Academy, for
17 institutions to take a look at one another,
18 and recognize one another as being part of the
19 club.

20 I could go into a long history,
21 which I won't, as to some of those early kinds
22 of things. But suffice it to say that the

1 view of quality, that's deep down in the heart
2 of accreditation, is an academic view of
3 quality, one that has to do with a lot of
4 things that the public isn't necessarily
5 interested in, things that have to do with
6 academic freedom, things that may have to do
7 with participatory governance, things of that
8 sort which are near and dear to our hearts,
9 but not necessarily to the public.

10 It also means that the regional
11 accreditors, with whom you are chiefly
12 concerned, were never designed to do the job
13 that the federal government is asking them to
14 do. There's a fundamental disconnect there,
15 in terms of the capacity of voluntary
16 accrediting organizations to serve essentially
17 as a federal inspectorate, and that's been a
18 tension that's been recognized, I think, from
19 the very beginning.

20 There are some severe defects as a
21 result. The regional structure or regional
22 accreditation is not well-understood by the

1 public. Arizona is a North Central State. I
2 mean I'll leave you with that. The biggest of
3 them has got 19 states. The smallest has two
4 and some territories. I mean the thing,
5 again, evolved rather than was actually
6 consciously designed.

7 It's very under-capitalized, and so
8 we have inconsistent training of reviewers.
9 We have very different ways of doing peer
10 review, so that sometimes institutions get one
11 kind of a review; sometimes they get a very
12 different one, depending on who the chair is,
13 and all of these are things that have been
14 offered before.

15 The standards are idiosyncratic and
16 not aligned across regions. Each region has
17 its own standards. They all say more or less
18 the same things, but the language is different
19 and again, the public finds that hard to
20 understand. There's a weak information
21 reporting thing, where basically the results
22 or reviews, it's difficult to get them out to

1 the public in again, an easily-understandable
2 way.

3 That's in contrast to most other
4 countries, where quality reviews are on the
5 web, and you can call them up, as a consumer.

6 You can't understand them, but you can at
7 least get access to them.

8 And the approach to learning
9 outcomes. Accreditation is very process-
10 oriented, and so the assessment process is
11 what's required, where what I think what
12 people are looking for is what are people
13 learning and what's the outcome. You may have
14 an excellent assessment process, but you may
15 be brain dead as an institution. So you know,
16 there's that kind of an issue that I think is
17 a difficulty.

18 I'll mention very briefly, before we
19 go into a couple of action steps, another set
20 of players, which if -- the Triad really came
21 into its own with the Higher Education Act of
22 1965. These players didn't exist. I'm

1 talking the media, I'm talking third party
2 organizations, *U.S. News*, an arbiter of
3 quality, whatever you may think of them.

4 The policy shops like my own or Pat
5 Callan's or Kevin Carey's, that are in many
6 sense arbiters of quality in the public arena.

7 So I think that that's a new wrinkle that's
8 not been brought into the regulatory
9 environment. Now the distributed set of
10 actors that the Triad represents, is not, as I
11 say, it's unusual in the world. It's got some
12 advantages and disadvantages.

13 Certainly an advantage is checks and
14 balances, that because they come from very
15 different places, these actors can look at
16 each other and sort of backstop one another,
17 and I think that's important. The division of
18 labor is at least theoretically a right one,
19 where the accreditors can look at quality and
20 the feds can look at standards of probity,
21 things like that. The states can look at
22 consumer protection.

1 Theoretically, it's great. The
2 problem has been in the past, that everybody's
3 tried to do everything, and I think that
4 clarity of the division of labor is something
5 that could use some looking at. And, as I
6 said, it's cheap, at least to the federal
7 government. That's an advantage.

8 Disadvantages, a lot of process
9 duplication, as I mentioned, people doing the
10 same stuff. The most strict state regulators
11 are essentially doing something that looks
12 very like accreditation. It involves visits,
13 it involves periodic looks; it has standards,
14 it has peer review, it has all those kinds of
15 things associated with it.

16 Lack of coordination and
17 miscommunication can be a problem, and I think
18 the whole system lacks one very important
19 element to it, and that's communication of
20 quality to the public. None of them do that
21 very well, and I think that that's an issue.

22 Let me turn now to a couple of

1 things that could be done, and I'll look at
2 some potential actions by each member of the
3 Triad, some of which could be affected by
4 reauthorization, but all of which, I think,
5 should be on the table for your consideration.

6 For the federal government, I think
7 that the information function of the federal
8 government in quality assurance is already
9 strong, but could be strengthened.

10 We need more statistics on
11 longitudinal student flow, graduation rates,
12 movement, particularly from one institution to
13 another, because right now, and this is a
14 problem for accreditation, you've got students
15 who are attending more than one institution,
16 sometimes as many as three institutions before
17 gaining a baccalaureate degree, and that's
18 very hard to keep track of.

19 FERPA is an issue here, because
20 building longitudinal databases requires
21 having regulations that allow agencies to
22 share information with one another. The big

1 thing that's going on right now is the states
2 are building capacity of K-12 to postsecondary
3 kinds of things. So that's one idea.

4 An idea that I haven't seen floated,
5 and it may not even be legal, but I thought
6 I'd put it on the table, is the idea of
7 indemnifying accreditors. Accreditors are
8 having to put up with the threat of suit, and
9 therefore they're constrained in their
10 actions, and may not be as free to take a
11 sanction as they might otherwise be.

12 And I think that a final thing, and
13 this is the one that will get me kicked out of
14 the room, I think NACIQI could use some
15 looking at. I think that NACIQI needs to
16 focus what it's doing.

17 I think that what you're in the
18 dilemma of right now is the same dilemma that
19 the accreditors have got, that unless -- you
20 have one big stick, and if you use that big
21 stick, you will do incalculable damage.

22 So it's then death by a thousand

1 cuts. It's finding all these kinds of things
2 that you can get a report on later on. It's a
3 dilemma that you need to be able to solve,
4 because I think the focus of what NACIQI needs
5 to be doing, which is really, in my view,
6 looking at the way in which accreditors look
7 at learning, may get crowded out.

8 So that's the federal government.
9 For the states, I think we've got to develop,
10 and Marshall, you may have some more to say
11 about this, and CHEA's already working on it,
12 develop more rationalization in the licensure
13 to operate kinds of things. As I say, the
14 situation is now really a mess, in terms of
15 being able to understand it.

16 Certainly, those of you, several of
17 you who are on the committee have had to
18 navigate this in multiple states. It's not an
19 easy thing to do. So I think we need model
20 legislation, we need reciprocal agreements, we
21 need a number of things like that that can
22 rationalize the way in which that operates.

1 For the accreditors, a lot of
2 suggestions are on the table. They're not
3 necessarily mine, and I'll remind some of you.

4 Art, I know you were around at the time, but
5 in the 1992-94 period, when we had the
6 National Policy Board on Institutional
7 Accreditation, which led to the CHEA
8 ultimately, all of these proposals were on the
9 table, and I think they're on the table again.

10 The first is to find another way of
11 thinking about the regional structure, and I'm
12 not necessarily an advocate of that. There
13 are a lot of reasons why a regional structure
14 is good. But the current one makes very
15 little sense, at least as far as the public is
16 concerned in understanding it.

17 A suggestion was made at the last
18 NACIQI meeting, I think Kevin Carey did it,
19 that we might at least be able to take out the
20 publicly-traded for-profits, and use a
21 different structure there. I think the same
22 argument could be made for some distinctly

1 defined institutional sectors. Community
2 colleges come to mind, but there are a number
3 of things like that.

4 There are dangers in that too. I
5 mean there's no perfect structure, and there
6 are already moves afoot on the part of some of
7 the major research universities, to say we'd
8 like our own accrediting organization. So
9 some of this is already happening.

10 I think focus more on data-driven
11 review. A lot of the regionals are already
12 doing that. Most of the specialized still do
13 or already do. But basically focusing on
14 things like graduation rates, focusing on
15 things that have external benchmarks and so
16 on, and having the review basically be data-
17 driven rather than person-driven, which is the
18 way it currently is with peer review.

19 Another idea that's been talked
20 about before is multiple levels of
21 recognition. Right now, accreditation is
22 on/off, yes/no, and several proposals have

1 been floated to say can we have an
2 accreditation with distinction or something
3 like that. The National Policy Board back 15
4 years ago recommended three levels of
5 recognition. We all wrote papers about it.
6 It's an idea that has been roundly explored.

7 And again, for NACIQI, if you
8 haven't gone back into those archives, they're
9 very interesting. A lot of the work that
10 you're doing now has already been done and,
11 you know, you might well go back to some of
12 those working papers.

13 The fourth suggestion is aligning
14 standards across accreditors, especially for
15 degree-level student learning outcomes. A
16 meeting I'm going to later today is I was one
17 of the drafters of the Lumina degree
18 qualifications profile, and that may well be a
19 vehicle for getting that done.

20 If regionals could all map the DQP,
21 we would have at least some notion of what
22 goes into a baccalaureate degree or an

1 associate degree or a masters degree. What do
2 they all have in common in terms of learning?

3 Discipline the peer review process.

4 I mentioned that last time to you, to ensure
5 more consistency across reviews. Data-driven
6 is part of that, but a lot of it has to do
7 with not turning our back on peer review, but
8 saying can we have more professionally trained
9 reviewers, if you will, people who are trained
10 at doing this?

11 I ran into the TEAC folks before
12 this. I think there is a model process for
13 this. It's an audit process. It's a process
14 in which the reviewers are highly trained, the
15 review process is very well-scripted. They
16 use audit trails. All of those kinds of
17 things are there.

18 Publicly communicate the results of
19 a review in some kind of standard form. The
20 regionals are working on that now, but we need
21 essentially a one-pager that looks at not the
22 whole report, but what are the strengths of

1 this institution, whether we have challenges
2 for this institution and so on.

3 The final suggestion that's been out
4 there is increase the number of public members
5 on commissions. I wouldn't say a majority,
6 but I'd say more than the two or three that
7 are there now. That may take some changes in
8 statute or rules, but I think it's an idea
9 that's worth considering.

10 Those are the suggestions that have
11 been put forward not just by me, but by a lot
12 of people, that I offer for consideration. I
13 think in conclusion, though, that one thing
14 that you all might consider, is I think this
15 is going to take a lot more work than you can
16 muster in the next six months.

17 So I think we may need a commission
18 to look at this, with foundation support, and
19 I know that Lumina would be interested in
20 supporting it. I think Gates would too, and I
21 think this needs a serious long-term look
22 across the board. That's it.

1 CHAIR STAPLES: Thank you very much.

2 That was very thought-provoking. I'm sure we
3 look forward to the question and answer
4 portion. Marshall.

5 MR. HILL: Well, if Peter wasn't
6 already widely recognized as a recognized
7 authority, that would sure do it. Everyone
8 that's done any kind of work in this area is
9 well aware of Peter's contributions, and
10 probably most of the people in the room and
11 most of you are wondering why in the world
12 your staff has invited someone from Nebraska
13 to come and talk about these issues.

14 So perspective always matters. So
15 before I get into the meat of my comments,
16 I'll share mine. I was a faculty member for
17 18 years in multiple types of institutions,
18 small, private, liberal arts college, urban
19 university, two research, one land grant
20 universities.

21 I've done 11 years of state-wide
22 work at the Texas Higher Education

1 Coordinating Board, where I was assistant
2 commissioner for universities in health-
3 related institutions. During the time when
4 all of this cross-border distance education,
5 growth of the for-profit sector was going on,
6 and one of the many things that were good
7 about that work, is that almost every issue
8 that was happening in the country was
9 happening in Texas. So I've been around this
10 track a number of times.

11 One of the things we did there
12 during my tenure was to look at the way the
13 Texas Board recognized, in the same way that
14 the U.S. Department of ED does, accreditors,
15 for essentially, to some degree, the same
16 purposes, for authority to operate, for
17 participation in state-wide financial aid and
18 so forth. So we did that work.

19 We also approved new institutions
20 seeking to operate out of state institutions
21 coming into the state and so forth. For the
22 last six years, I've been head of the Nebraska

1 Coordinating Commission for postsecondary
2 education. We're a fairly traditional
3 coordinating board doing the usual tasks of
4 approving degree programs, buildings built
5 with tax funds, new institutions.

6 We run financial aid programs, do
7 all sorts of studies and reports for the state
8 of Nebraska. Personally, I've done a good
9 deal of work with accrediting bodies of all
10 types, first as a faculty member, being on
11 institutional teams, preparing for
12 accreditation visits, both regional and
13 specialized, and then over my statewide work,
14 I've done a lot of direct work with them from
15 that perspective.

16 Been an active participant in the
17 regional compacts, SREB, the Investment in
18 Higher Education Compact, trying to do this
19 work, and also been very active in SHEEO. I
20 note my two SHEEO colleagues are not here this
21 morning. I don't know what that says about
22 their views of anything I might say, but I'm

1 of their ilk.

2 Maybe lastly is I represented SHEEO
3 and state higher education agencies three
4 times on the SHEEO rulemaking panels, in 2007
5 dealing with accreditation; in 2009 dealing
6 with accreditation, and then most recently on
7 the program integrity rules. So I'm a known
8 quantity to many of the senior staff here.

9 I'll offer a disclaimer, and say
10 that what I'm going to say are my views. They
11 are informed by lots of talks with colleagues
12 across the world of higher education, but they
13 are mine. They're not shared uniformly, even
14 by my SHEEO colleagues. As Peter indicated,
15 we are all different. We all do this work in
16 extraordinarily different ways.

17 Some of our views on these issues
18 dealing with the Triad cluster a bit around
19 the degree to which a SHEEO agency regulates.

20 You know, some of us are regulators. We
21 approve institutions to operate within our
22 borders. We have several other gatekeeping

1 functions, and some of us are less so.

2 I've been a regulator. I've been on
3 the regulating side of that equation for a
4 long time. So you might keep that in mind.

5 My personal views on the Triad
6 remarkably parallel Peter's. No one would
7 design this approach. No one around the
8 world, to my knowledge, I've done far less
9 international work than Peter, but I have
10 worked in three or four other countries.

11 Then they say we want to have a
12 system sort of like the United States has for
13 quality assurance. I've said really? Do you
14 really want to do that? So we've had some
15 discussions about that.

16 But I personally have been a strong
17 supporter of the Triad approach to quality
18 assurance and accountability, for half a dozen
19 or so principle reasons. One, it's a more
20 comprehensive approach than any of the three
21 current partners could pursue alone. It
22 acknowledges that we have some shared

1 concerns, that we have shared responsibilities
2 to offer, good higher education opportunities
3 to the people in the country that we serve.

4 It provides possibilities for us to
5 mutually reinforce one another. We're all
6 subject, especially those of us in states and
7 the federal government, to strong political
8 winds, and sometimes we need a little bit of
9 support in dealing with issues as they come
10 along.

11 My experience has been that it's
12 been very helpful to count on partners at the
13 U.S. Department of ED and at accrediting
14 bodies, when there was some particular issue
15 that I, as a state regulator, was having some
16 challenges in dealing with.

17 So I've relied on the federal
18 government to have policies and provide
19 funding, that provided a good, strong support
20 for financial aid. The data that the U.S.
21 Department of Education produces through IPEDS
22 and other means is invaluable, especially to

1 states like mine which are just starting
2 really serious efforts towards state-wide
3 longitudinal data, and we in states rely on
4 that.

5 We also rely on accreditors to do
6 some things that many times by statute we are
7 precluded from doing. Now looking at quality
8 issues, it is not uniform for all states.
9 Some of us have a great deal of engagement
10 with that, and some of us have much less.

11 Frankly because of pressures from
12 the public higher education system in
13 Nebraska, the agency I currently head has far
14 less direct influence on quality issues than
15 the Texas Higher Education Coordinating Board
16 did.

17 So not everyone always wants a
18 strong state entity to look at these issues.
19 As a matter of fact, most people don't,
20 including both good and less good
21 institutions.

22 So those kinds of things, I think,

1 are very, very helpful. But maximizing the
2 potential benefits of the Triad is difficult,
3 and I think Peter has given some good, good
4 suggestions about ways in which we could
5 improve what we now have.

6 But changes that we've all
7 experienced have really stressed each
8 component of the Triad. All three, all three,
9 have been stressed by the very rapid changes
10 in technology and delivery methods in
11 institutional missions, in structure, in focus
12 and control. All of those simple words have,
13 in one way or another, very significantly
14 stressed our ability to make this work in the
15 ways that we all want.

16 Accreditors, as Peter mentioned,
17 have assumed roles that are outside their
18 initial purpose of quality enhancement. My
19 view is they've done that reasonably well, but
20 it has been a stress. It is a challenge, and
21 there's some question as to whether it's
22 uniformly applied.

1 The federal government has had to
2 deal with explosive growth, with always trying
3 to figure out whether we're doing the right
4 things and doing them as best we can, and
5 intense political pressure, while that's going
6 on.

7 For states, we have the obvious
8 problems of such great differences among
9 ourselves. If one was a pristine, for-profit
10 institution, seeking to do nothing but good,
11 and wanting authority to do it in every state,
12 and willing to comply with regulations, it's
13 nevertheless a very difficult task to get that
14 done. And it's expensive, and those expenses
15 end up in one way or another being passed on
16 to students. So that is a challenge as well.

17 In states, we have statutes which
18 often very much lag current practice. It is
19 difficult in most states to get these issues
20 of control, of regulation attended to through
21 complex and crowded legislative calendars.

22 I will tell you that since coming to

1 Nebraska six years ago, I have wanted to
2 revise our statutes dealing with how we do
3 this work, and I've waited five years for the
4 right opportunity to do that, and still did
5 not have the right opportunity but had a
6 necessary opportunity, in that the new program
7 integrity rules require each state to have a
8 complaint resolution process.

9 So one of the unintended
10 consequences of the new rules, which have
11 gotten almost uniformly widespread abuse, has
12 been that it enabled me to tell my
13 legislature, say we need to make some changes,
14 or if we don't, our institutions will not be
15 able to participate in federal Title IV
16 programs.

17 So oh, oh. Well oh. Oh, well maybe
18 we really ought to think about this. And so
19 we were able to do that, and I think we are in
20 much, much better shape than we now are. We
21 were in a state where if that responsible out
22 of state institution wanted authority to

1 operate in Nebraska, looked to our statutes,
2 they'd have a hard time figuring out how to do
3 it, even who to talk to, what the requirements
4 were and so forth. We have fixed that. A lot
5 of other states have a great deal of work to
6 do in that regard.

7 So to me, we have a couple of
8 fundamental challenges that centralize the
9 work that we all try to do, and that is first,
10 how can we improve and broaden educational
11 attainment, about which there's pretty wide
12 agreement, not uniform, but pretty wide
13 agreement that we need to do that, while
14 improving quality.

15 I say it carefully that way: while
16 improving quality. Not just while not letting
17 quality decline, but while improving quality.

18 I think there's a lot we can do across the
19 board. But how can we do that while under
20 such severe financial stress? That's one
21 central challenge.

22 The second is how can we enable and

1 support the innovation and flexibility in
2 higher education that our country needs, while
3 retaining the ability to restrain, and if need
4 be, punish bad actors. That to me is the
5 central challenge. How can we come up with a
6 way to enable innovation and flexibility,
7 while at the same time dealing with abuses?

8 There are some points of common
9 agreement. They're not very good points, but
10 they're points of common agreement, I think.
11 The first is that the interaction between
12 members of the Triad are complex, they're
13 sensitive, and they don't always yield the
14 results we need.

15 Each of us, in our actions, are
16 imperfect. We don't have the resources, the
17 capabilities that we each need in order to do
18 even our part of the work, for reasons that
19 Peter outlined.

20 Second, as many have noted, the
21 efforts of the Triad members are sometimes
22 redundant, and that unduly stresses some

1 institutions, and it certainly adds to the
2 costs, which are passed on to students.

3 And lastly, despite oversight from
4 three perspectives, we still have abuses and
5 shortcomings. Despite three different
6 entities looking at higher education, and
7 attempting to do some of the same work, we're
8 imperfect about that. We still have problems,
9 which embarrass us all.

10 And lastly, although most countries,
11 developed countries, would take a centralized
12 approach to dealing with these issues, rightly
13 or wrongly almost no one in higher education
14 is advocating for that, certainly not a
15 federal approach.

16 However, I feel that we need a more
17 centralized, a more uniform approach to these
18 issues, that while not necessarily federal is
19 national. We just have too much inefficiency
20 in the system, too many holes, too many cracks
21 for problems to solve through.

22 The most sensitive points of stress,

1 I think, come from institutions. I deal with
2 public institutions, with non-profit
3 institutions, with for-profit institutions,
4 and I hear essentially the same things from
5 all of them.

6 Many institutions, especially the
7 non-profit and the public institutions,
8 believe, as a matter of faith and they're
9 largely right, that they place a high premium
10 on the needs of students, and they don't think
11 they're part of the problem. They don't think
12 they are an institution that is part of this
13 problem that we're all concerned about.

14 Therefore, they have little
15 tolerance for dealing with any kinds of
16 policies and procedures, certainly any
17 additional policies and procedures designed to
18 fix these problems. I think that's reasonably
19 understandable.

20 I've looked for an analogy for this.

21 We've probably all, many of us flew here to
22 these meetings. Every time we go through the

1 TSA process, we probably feel the same things.

2 We understand why we're doing that
3 process, but we also know that each of us as
4 individuals are not terrorists; we're not
5 planning to blow up planes. We feel horribly
6 inconvenienced by that, and sometimes it's
7 expensive. People miss connections, so forth
8 and so on.

9 We think there ought to be a special
10 way to deal with us, those of us who clearly
11 aren't part of the problem. We ought to be
12 able to get by that whole TSA thing and just
13 walk on through. Don't we all feel that way?

14 A lot of institutions feel exactly the same
15 about federal regulations, about state
16 regulations and about accreditors.

17 To some extent, recognition by a
18 recognized accreditor, or approval by a state
19 was initially meant to provide you some
20 special consideration, a fast line, you know,
21 going past. I think with the additional
22 responsibilities that accreditors have had to

1 assume on the regulation side, that special
2 line isn't quite so special any more.

3 Maybe we could get back to a point,
4 through some gradation of the off and on, yes
5 or no accreditation status, that provides
6 something like that. The public is
7 monumentally ill-informed on accreditation.

8 They uniformly seem to believe that
9 it's a yes or no thing. You either are or you
10 aren't. Like being pregnant. You either are
11 or you aren't. No gradation. We try to
12 educate people on that, and it's quite, quite
13 complex. They don't understand. I think
14 that's something that we can all work about.

15 Possible improvements to the Triad.
16 Maybe we can find a better segmenting tool, a
17 way to adjust the path for institutions that
18 have consistently, over a long period of time,
19 demonstrated responsibility, financial
20 stability, high metrics on measures we care
21 about and so forth. For them, the focus
22 should be on quality enhancement.

1 That work is best carried out, I
2 believe, by accreditors. For less fortunate
3 institutions, and I emphasize institutions
4 from all sectors, we probably need to shorten
5 the period between comprehensive accreditation
6 reviews, and develop better, more graduated
7 responses to poor performance.

8 Some entities accredit a very, very
9 wide range of institutions, public, private,
10 large, small, for-profit and so forth.
11 Rationalizing that breadth, under the argument
12 that those diverse institutions share a
13 commitment to high level principles is one
14 thing. We all want to treat our students
15 well, we all want to be transparent; we all
16 want to have high graduation rates and so
17 forth.

18 But developing standards that are
19 applicable to that broad range is another
20 thing entirely. If you can do that without
21 making them nebulous, and I believe that
22 that's a challenge which we're not meeting

1 terribly well.

2 The new program integrity rules will
3 prompt some adjustments by the states. As I
4 mentioned, we've adjusted to that and it's
5 been helpful to us. Now frankly, whether it
6 will do any good is another thing entirely.

7 So the last question you prompted
8 through some materials I was provided was
9 should accreditation be decoupled from
10 participation in federal financial aid, and as
11 you well know, there's lots of issues there.
12 If that were done, accreditors could focus on
13 their initial tasks. But if they no longer
14 serve as gatekeepers to federal financial aid,
15 who will?

16 We tried the state approach with
17 SPREE, and SPREE is regarded as a horror story
18 that people don't want to, in any way,
19 entertain repeating.

20 But then that leaves the federal
21 government, and right now I have never
22 experienced in my lifetime a more general

1 anti-government tone in our country, and
2 certainly there's not widespread support for
3 the U.S. Department of ED assuming a greater
4 role in oversight of these issues. I,
5 frankly, would be more open to that than the
6 majority of my colleagues.

7 To end, I've spent half my
8 professional life, before I went over to the
9 dark side of bureaucracies, conducting choirs
10 and orchestras. So I've done more than my
11 share of preaching to the choir, and it's
12 obvious I can't seem to break that habit.

13 But I'll end this particular sermon
14 by thanking you for the attention you're
15 giving to these issues and these problems,
16 encouraging you to review the track record of
17 your colleagues of the past. Those of us who
18 work in state systems do want to do our part,
19 in ensuring that we get where we need to go.
20 We'll be willing partners, and we want to
21 contribute to solutions.

22 CHAIR STAPLES: Thank you very much.

1 Those were very helpful presentations. On
2 our schedule, we now have a half hour set
3 aside for public commenters. We don't have
4 any public commenters signed up.

5 MEMBER STUDLEY: Can I ask some
6 questions?

7 CHAIR STAPLES: What's that?

8 MEMBER KEISER: Can we ask some
9 questions?

10 CHAIR STAPLES: Oh yes, which allows
11 us an opportunity to ask you questions for the
12 next half hour, which I think is very helpful.

13 So with that, I'll open it up for questions.

14 Jamie?

15 MEMBER STUDLEY: I'd be interested,
16 Mr. Hill, if you can just tell us briefly,
17 something more concrete about what role
18 Nebraska plays. What do you actually do to
19 hold your state's part of that often tippy
20 three-legged stool.

21 MR. HILL: Right.

22 MEMBER STUDLEY: Thank you.

1 MR. HILL: As I mentioned, we're a
2 fairly traditional coordinating board.

3 MEMBER STUDLEY: I'm from
4 California, so I don't know what a fairly
5 traditional -- oh, okay.

6 CHAIR STAPLES: You don't have one.

7 MR. HILL: You don't have one. Yes,
8 that's right. You don't have one.
9 Coordinating boards, to a large extent,
10 started in the mid-60's, as a recognition that
11 the country needed to deal with people like
12 many of us around the table and in the room,
13 early age baby boomers.

14 Legislators, governors, looked
15 around and they saw the first part of the baby
16 boom coming. They said we recognize that
17 we're going to have to educate a lot more
18 people than we did in the past. That means
19 that we're going to have to be spending more
20 state money on it. We're going to be
21 inundated with presidents of institutions
22 coming to us, wanting more and more and more.

1 We want somebody to stand in between us and
2 those college presidents.

3 We also realize that we're going to
4 need better data on the issues that we're
5 going to look at. We're going to have
6 everybody wanting to do the same things.
7 Several of our schools will want to start
8 engineering programs. They'll all want
9 medical schools. How will we make those
10 decisions?

11 So coordinating boards were started.
12 Most states have a centralized either
13 coordinating or governing board, some state-
14 wide entity that has some authority over
15 higher education. About half the states, a
16 little more than that, have coordinating
17 boards, where the action is generally less
18 directive to institutions. They don't hire
19 presidents. They don't construct the budgets
20 for those institutions and so forth.

21 But they try to work to ensure
22 unnecessary duplication. That was the

1 principle initial goal, and many times they
2 were successful at that; many times not. As
3 an example, the state of Texas has three
4 Schools of Library Science, three public
5 Schools of Library Science.

6 One of them is in Austin; two of
7 them are in Denton, a suburb north of Dallas.

8 So they aren't always successful at doing
9 that. The other form of state-wide governance
10 is a governing board and those do. Higher
11 institutional presidents set institution
12 budgets, so forth and so on.

13 In Nebraska, as a typical
14 coordinating agency, we undertake studies and
15 reports for the legislature and governor. We
16 provide all data on state-wide graduation
17 rates, enrollments, degrees awarded, etcetera.

18 We approve all new degree programs
19 that the University of Nebraska or the
20 Nebraska state colleges or community colleges
21 wish to start. So their governing boards will
22 approve a new program, and then it comes to us

1 to look at state-wide perspectives.

2 If a building is to be built in
3 Nebraska that relies on tax funds, or if tax
4 funds are sought for the operation and
5 maintenance of that building, the legislature
6 has set it up that they cannot appropriate
7 funds for that unless our board approves it.

8 We also are charged to approve new
9 institutions that seek to operate. We all
10 need to remember that new institutions start
11 all the time. Some of them will be
12 successful; some won't. If an out of state
13 institution seeks to establish a campus in
14 Nebraska, we approve that as well. Those are
15 some of the things that we do.

16 CHAIR STAPLES: Peter looks like he
17 wants to respond to that as well.

18 MR. EWELL: Yes. I just thought I'd
19 give you sort of a national perspective on
20 that, because this is an N of 1, and as you
21 point out, coming from California, it doesn't
22 look like that from where you sit. There are

1 49 other stories. In fact, there are 70 other
2 stories, because essentially the licensure to
3 operate decision, which you have as part of
4 your SHEEO responsibility, may be assumed by a
5 different agency entirely.

6 They're usually organized by either
7 the type of education provided, vocational,
8 non-degree, degree and non-vocational, or they
9 are by control, where you have a licensing
10 board for for-profit institutions and a
11 licensing board for not-for-profit
12 institutions.

13 So those three variables will vary
14 across all the states and there are, as I say,
15 over 70 different ways of getting this done.

16 MEMBER STUDLEY: Dr. Hill's comments
17 really added, and I thank you both, really
18 added an interesting angle, which is the
19 planning angle. When we look at foreign
20 systems, when we look at other things that
21 aren't done at all, there is a decision being
22 made about investment of at least state public

1 funds in programs, a kind of channeling or
2 what do we need or what's too much of a
3 certain kind of education.

4 That's absent from your landscape
5 entirely Peter, because of our emphasis on
6 choice and student-driven and market-driven
7 forces and open access.

8 If you meet the qualitative
9 standards that are established, nobody says we
10 don't need -- nobody says for national student
11 aid we don't need more of those, and we should
12 narrow this kind of program, and we no longer
13 -- we need people to shift to these languages
14 from those languages, or these workforce
15 degrees to another one.

16 MR. HILL: You know, actually most
17 states attempt to do that, and we do that in
18 Nebraska. We had a state-wide comprehensive
19 plan. What ultimately happens, though, is you
20 can't get general agreement and you need
21 general agreement. You need some degree of
22 consensus moving forward, unless your plan

1 document is rather nebulous and rather
2 generalized.

3 We do pay attention to that. It has
4 served as a, to some extent, a restraining
5 device on unreasonable aspirations of
6 institutions. Other times, it didn't. During
7 my tenure in Texas, what I now believe is
8 probably the greatest expansion in doctoral
9 programming ever in the history in this
10 country went on.

11 Even though our board was charged to
12 be gatekeepers about that, they were really
13 frankly unwilling to do so. We used to say
14 quality, need and cost were the three things
15 that were important.

16 The board, for a period of time,
17 didn't really care whether a particular
18 program was needed. They didn't really care
19 what it cost. They would support my
20 recommendations on the basis of quality.

21 So the irony was that an institution
22 would propose a new doctoral program. I would

1 tell them I'm not willing to recommend
2 approval, and they'd say what do we need to do
3 in order to get your willingness to recommend
4 approval, and I'd say "spend an enormous
5 amount of money," because the one thing that I
6 was not willing to do is recommend that the
7 board approve an unnecessary, unneeded and low
8 quality doctoral program.

9 So we added, in a eight year period,
10 about 160 doctoral programs in Texas. It was
11 California envy, part of that was.

12 MR. EWELL: And can I comment as
13 well. Just I think the intentionality of the
14 higher education system is one thing that is
15 also present in foreign systems. You see very
16 much higher education as an engine of economic
17 development, and planning is very much a part
18 of that.

19 Now that's a contrast in lots of
20 ways. I echo Marshall's talking about mission
21 creed, and that leads into accreditation,
22 because accreditation is fundamentally

1 mission-anchored. You're looking at the
2 institutions's mission and whether or not it's
3 being fulfilled. No one's asking the question
4 is this the right mission, is this what this
5 institution should be doing, as part of an
6 intentional system of higher education.

7 Now independent colleges, you know,
8 it's a different story. But certainly in the
9 public sector, that's something that ought to
10 be taken a look at.

11 CHAIR STAPLES: Art.

12 MEMBER KEISER: I was interested in
13 your comments about technology and change, in
14 a system that really hasn't changed. The
15 Department published rules which now require
16 all distance learning educational institutions
17 to have licensure, pretty much requires it, in
18 all 50 states, which is creating all kinds of
19 nightmares for institutions.

20 I was at a conference in Dallas this
21 week, and walking through the exhibit hall,
22 and seeing the eBooks, seeing the consortiums

1 of electronic library resources, seeing just
2 the marketing tools, just the electronic, the
3 virtual universities and the opportunities for
4 that, is licensure, accreditation and federal
5 recognition moving fast enough, or is the
6 educational community moving faster than they
7 are, and when will this -- what will happen in
8 2030, looking 20 years ahead today?

9 Peter Drucker said that the
10 universities of today will be all dinosaurs,
11 because of the cost structures of the current
12 system that's been, you know, that we are, you
13 know, have been building. Where do you see
14 this going and how do you see regulation
15 keeping up with change?

16 MR. HILL: No. We're playing catch-
17 up, and I think we have been for a long time.

18 To personalize that, distance learning policy
19 work was part of my portfolio in Texas for
20 about ten years, and during that period of
21 time, we changed our regulations, I think,
22 seven times.

1 We were doing everything we could to
2 try to avoid stifling innovation, and allowing
3 for experimentation. And the general trend
4 over that period of time was to loosen
5 regulation, rather than to tighten it. But I
6 think we do have a problem with that. I think
7 we are going to have to develop additional
8 ways to do things, other than just the way we
9 did 50 years ago.

10 We're seeing that a lot happen, and
11 to the extent that that practice or process of
12 delivering learning is impeded by something
13 that any member of the Triad does is a problem
14 that we ought to address.

15 MR. EWELL: Let me do a quick
16 rejoinder as well. That's why I'm advocating
17 taking a comprehensive look at this entire
18 thing, and saying if we were to project out to
19 2030, with current trends, doing what they're
20 doing, what kind of a regulatory structure
21 would we want? I don't think that it would be
22 the piecemeal structure that we currently

1 have. It just can't keep up.

2 This is personal for me, because our
3 organization is under SHEEO's direction,
4 trying to create a mechanism so that
5 institutions would have a resource to go to,
6 to say who do I talk to in Arizona? Who do I
7 talk to in Oklahoma? How do we get this done
8 on a fast track?

9 But I think it's the change is there
10 and it's not there. I think if you go to the
11 actual teaching and learning process, there's
12 been enormous change in the way in which it's
13 done, more mastery-based, more short cycle,
14 more asynchronous. A lot of that kind of
15 thing is going on.

16 But the organizational structure of
17 our institutions hasn't changed much at all.
18 Someone once made the remark, and it was
19 accurate but it was telling, that there are
20 ten organizations in the western world that
21 can trace their history back before 1200: The
22 Catholic Church, the Parliament of Iceland and

1 eight universities. That's kind of, you know,
2 what we're dealing with.

3 MEMBER KEISER: But isn't that kind
4 of the problem we're facing, where we have
5 change, dramatic change based on technology,
6 but systems that are still operating. I mean
7 you talked about building buildings and
8 building buildings, we can't -- it's a real
9 question whether we can afford to build
10 buildings.

11 Why do we need to build buildings
12 when technology provides us different
13 opportunities? So are we now at a
14 transformation, and that's what's causing some
15 of the rubs, that we are unable to cope with
16 the technology change, and those who don't
17 want to change are digging in?

18 MR. EWELL: Yes. I think that's not
19 a bad characterization. The other thing,
20 though, is it's very -- it's complicated,
21 because all these issues are intertwined with
22 one another. You can't say distance anymore,

1 because most everything is not just distance.

2 It's blended. A substantial proportion of
3 people taking online classes are doing so from
4 residence halls in universities.

5 I mean so you can't make the old
6 distinctions, and make them matter anymore.

7 MEMBER KEISER: I think a better
8 word is "different."

9 MR. EWELL: It's different,
10 different. That's good.

11 MR. HILL: But it is new. It is
12 new, and technology has been very disruptive
13 in that regard. But human nature hasn't
14 changed. I mean people still want to donate
15 funds to an institution, so that their name
16 will be on the nice, bright new building.

17 And whenever an institutional
18 president retires, he talks about what new
19 degree programs were started on his tenure,
20 how much the endowment increased and what
21 buildings were built, not on how student
22 learning outcomes have advanced, not on those

1 kinds of things. So technology has been very
2 useful, I think, in prompting some
3 consideration about whether we have our
4 priorities set the way they should be.

5 CHAIR STAPLES: I have a few
6 questions myself. Then I have Anne, Earl and
7 Larry for questions thereafter. The question
8 I have, Peter, for you, you've mentioned in a
9 couple of places the issue of the federal
10 government having better statistics to track
11 learning outcomes. You talked about having
12 more data-driven decisions at the accreditor
13 level, as well as some sort of model
14 legislation for states.

15 So you're talking about aligning
16 things and creating some sort of commonality.

17 I guess the question that I have for you, and
18 we had a lot of discussion about this
19 yesterday, and I don't know if you were here;
20 I don't think I saw you here, about trying to
21 find common data.

22 I guess the question for you is

1 there seems to be a fair amount of consensus
2 so far around that notion that we should have,
3 the system have more commonalities across the
4 Triad, so that whatever their roles are, there
5 are commonalities for gathering, for using and
6 for evaluating.

7 I guess the question is how do you
8 suggest getting from here to there? What, in
9 a practical way, if that's a goal, what would
10 you suggest? The federal government may not
11 be able to or shouldn't require, but perhaps
12 there are ways in which this group could
13 inspire that process that unfold.

14 MR. EWELL: Okay. I mean you
15 certainly are singing my song, because this is
16 what -- our organization was founded as a part
17 of the federal government, to create the data
18 standards, which now everybody reports
19 according to.

20 Let me correct a misapprehension.
21 Nobody has got standard things on student
22 learning outcomes. The data that I was

1 talking about was retention degree completion,
2 that I think we can do a better standard job
3 on.

4 No, I think that this group could
5 advocate for greater standardization and
6 commonality of definition. I think that
7 that's what's lacking currently in the
8 accrediting world. We've done a couple of
9 projects, first under COPA, which was CHEA's
10 predecessor, and then for CHEA about five
11 years ago.

12 I was saying here would be a model
13 set of standards. It's published. You can
14 buy it from CHEA. Maybe not buy it, I don't
15 know. Maybe they give it away. They should.

16 But in any case, it is a set of common data
17 standards that says if we all would adhere to
18 this, we would have a lot less data burdens
19 for institutions, because one of the
20 complaints that we hear a lot from
21 institutions is that different accrediting
22 organizations want different things.

1 They want it cut differently, they
2 want it counted differently and so on. I
3 think that this group advocating for something
4 like that would help a lot.

5 CHAIR STAPLES: Thank you. Anne.

6 MEMBER NEAL: Good morning. First,
7 a comment and then a question for both of you.
8 You all have just, I think, quite probably
9 talked about the problem. No one's focusing
10 on admission, no one's focusing on priorities,
11 whether or not buildings are necessary.

12 I think that that is really the role
13 of trustees, and I think it's very interesting
14 that a number of the comments we've received,
15 both from trustees and from presidents, have
16 suggested that in fact the accreditation
17 system undermines their ability to focus on
18 those priorities. So I'll let you address
19 that.

20 But my bigger question is how you
21 both started, essentially to say that you were
22 in agreement that if we were starting a system

1 from scratch, we would not have what we have
2 now. Now Peter you suggested a new commission
3 to deal with it, but I'd like to have both of
4 you, for us this morning, if we were starting
5 from scratch, and if our focus, and this was
6 the discussion we had yesterday afternoon.

7 What is the baseline that we have to
8 have, to protect the federal dollar? I mean I
9 think, as we look at the structure now, we're
10 here to protect the federal dollar, to make
11 certain it's not going to fly by night
12 organizations. What is the minimum that we
13 would need to do that?

14 We talked about financial
15 responsibility as being a baseline
16 responsibility of the Education Department,
17 and we were also considering some common data
18 set that would address the consumer
19 information needs and some transparency.

20 What would that common data set be,
21 to provide this baseline protection of the
22 federal dollar?

1 MR. EWELL: I'll take a quick swing
2 at that. Some of those have tried to, in
3 fact, write that. I mean Gates Foundation,
4 Bill Moeller with the Gates Foundation, is
5 proposing a common set of measures for all its
6 grantees, that is really centered essentially
7 around longitudinal student flow, how many
8 students get from here to there, under what
9 circumstances and so on.

10 I mean one of the things that I
11 think both states, and Marshall, I'd welcome
12 your views on this, and accreditors don't do
13 very well, is essentially management by
14 exception, is the thing that says, you know,
15 99 percent of the institutions out there are
16 just fine, and if we had a common data set
17 that would flag essentially the places where,
18 you know, it's over the red line, then you
19 could take very expensive analytical talent
20 and go in and take a look at what's really
21 going on.

22 But we have this false equity

1 problem, that we're not treating everybody the
2 same, and that that's not fair, whereas it
3 ends up being immensely burdensome to those
4 who don't need to undergo review, that you
5 know, could do something else.

6 Now you're going to have a couple of
7 people this afternoon who are going to claim
8 that they should be off the hook. I don't
9 necessarily agree with that, because I think
10 there's some things that Princeton isn't doing
11 that they ought to be doing.

12 But in any case, for most
13 everything, I think you can take a Princeton,
14 you take University of California, Larry, you
15 can take most of those things and say take it
16 off the table, and operate in a different way.

17 I think that's a perfectly feasible system,
18 if we could get it done politically.

19 MR. HILL: I agree with that
20 completely. I'll use another personal
21 analogy. I spent too many years realizing
22 there was a problem with the sopranos, and

1 then holding a sectional rehearsal for all
2 sopranos, when really it was two or three
3 sopranos, you know. So the way to deal with
4 that was to focus greater attention on those
5 two to three.

6 We do a terrible job right now of
7 that in our country, for an institution that I
8 think, to virtually everyone's agreement, is
9 doing the things we would want them to do,
10 still has to go through the exercise of
11 devoting an enormous amount of attention to
12 prove that.

13 There ought to be an easier way for
14 them to prove that, that meaningful line,
15 shorter line, ought to be more functional for
16 institutions. Because they're spending their
17 time, entirely too much, demonstrating their
18 capabilities to do things that they
19 demonstrate all the time.

20 One final comment. I agree that
21 trustees and board members need to do a better
22 job about looking at the broader picture,

1 rather than about focusing just upon
2 institutional aspirations. That is -- that's
3 a general criticism not just for independent
4 institutions, but certainly for publics as
5 well.

6 We have relatively little of that in
7 Nebraska, because Nebraska has virtually no
8 money to do much of anything right now.
9 That's been the real break on things. But
10 this huge growth of doctoral programming that
11 I mentioned last time, every one of those
12 unnecessary, unjustified programs was approved
13 by a board of trustees.

14 MEMBER ROTHKOPF: Earl.

15 MEMBER LEWIS: To piggyback on the
16 question that Art was posing about innovation,
17 and if I look at the Triad and sort of think
18 about the relationship between the state and
19 the federal and the accreditors, in some ways
20 history sort of evolves out of the concern
21 with the domestic educational market, and ways
22 in which we can ensure that indeed, the

1 investment of federal dollars and quality
2 could be assured.

3 But one of the things, and Peter you
4 alluded to it, one of the most interesting
5 developments, if we talk about some of the new
6 disruptive technologies may be in education,
7 where a lot of American universities
8 themselves are becoming global entities, and
9 trying to figure out then what are the
10 boundaries, as we go forward, thinking about
11 it's not as much about federal investment as
12 it is about perhaps the quality side.

13 But as we think about the Triad and
14 its future, is it -- should it remain
15 concerned exclusively with the domestic
16 implications of the deliveries of education
17 that our institutions will provide, or do we
18 have to actually begin to talk about this sort
19 of education in a global context?

20 MR. EWELL: We already are, and I
21 think that one of the things that's important
22 to recognize is a lot of accreditation energy

1 right now is being spent on essentially U.S.
2 institutions operating abroad, foreign
3 institutions coming onshore, the foreign
4 student market, all of that kind of thing.

5 Again, several other countries are
6 eating our lunch on this, and Australia is
7 huge in Southeast Asia, for example. We have
8 to be concerned about our links with that
9 global marketplace. I think that's one where
10 at least the regional accreditors are on, and
11 it's -- you know, more could be done.

12 But I think that that's a very
13 important point. It's one when I did the CHEA
14 monograph on accreditation, it was one of the
15 seven trends that I identified as transforming
16 accreditation.

17 MEMBER ROTHKOPF: Larry.

18 MEMBER VANDERHOEF: Anne Neal asked
19 my question almost verbatim, but there's a
20 little piece of it that wasn't covered, and
21 I'm just going to ask a quick question about
22 that. Again, you both started by saying we

1 can't even think about disassembling what we
2 have in place and putting it back together. I
3 think not exactly, but that was close to what
4 you said.

5 Then later Peter, you said maybe
6 this is a time when we needed another
7 commission, and I must say that the suggestion
8 that we need another commission makes me
9 shudder a bit. But I think you're right in
10 this case.

11 I wonder if we don't have the wrong
12 images when we think about disassembling what
13 we have in place. I think what we have in our
14 minds is more like burning the house down and
15 then building a new house.

16 I'm not sure that that's the right
17 way to think about it. I wonder if we
18 shouldn't think about a commission, for
19 example, that says okay, if we were starting
20 from scratch, what would do, here's what we'd
21 do.

22 You don't necessarily, you haven't

1 necessarily destroyed everything that you have
2 in place. You can then take the pieces that
3 you have in place and say okay, which ones fit
4 where, and where do we have to change a
5 little, and where do we have to add a new
6 piece, and where can we subtract a piece.

7 That's quite a different thing than
8 burning the house down and then building from
9 scratch.

10 MR. EWELL: I quite agree with that,
11 and I think that -- I mean the analogy that I
12 always have in mind is evolutionary, biology.

13 I mean you can get from a dinosaur to a bird,
14 but you have to have a viable animal at each
15 stage in between.

16 That's what we've got to try to
17 invent, is we can imagine where we want to be,
18 but what does each step, incrementally, going
19 to have to look like, because I don't think
20 that tearing it all down and putting it back
21 together again is going to be the right
22 solution.

1 CHAIR STAPLES: Arthur.

2 MEMBER ROTHKOPF: A couple of
3 questions. I just want to understand, and I
4 think it was more to you, Peter. Was it
5 implicit in what you were saying, and this is
6 an issue we talked about yesterday, as that in
7 order to get the kind of data we need and
8 particularly in the area of graduation
9 information, which is now impeded by the fact
10 that the IPEDS data doesn't pick up an awful
11 lot of people who transfer, that we -- would
12 you recommend that this group urge that there
13 be a unit record system, that would provide
14 longitudinal data?

15 I mean it's something we talked
16 about. I think it's implicit in what you were
17 saying, but I wasn't -- I wanted to --

18 MR. EWELL: Well, I've been on
19 record -- I've been on record many times, that
20 that would be the right solution. I don't
21 think that politically we can get there right
22 now. So I think that one of the things that's

1 an intermediate in all of this, and we're
2 doing tremendous amount of work here and so is
3 CHEA, is developing state capacities to do
4 this.

5 With state -- all but four states
6 now have INPO Secondary, a longitudinal data
7 system. Increasing numbers of them have
8 private institutions included in it, usually
9 as a part of the quid pro quo of accepting
10 state financial aid, and that's a tremendous
11 data resource.

12 If we can link them together, and
13 we're working with CHEA and with WICHE on a
14 project to exchange data between K-12, higher
15 education, the workforce through the
16 unemployment insurance wage record, in a four
17 state region, so you can really track what's
18 going on there.

19 It can be very powerful, because not
20 a lot of migration goes on between, say, West
21 Virginia and Oregon, you know. I mean most of
22 it is kind of local and you can pick it up in

1 multi-state consortia. With the addition of
2 the National Student Clearinghouse, states are
3 in pretty good shape, in terms of being able
4 to track students to an ultimate destination.

5 Would I like to see a federal unit
6 record system? Yes. I've said so many, many
7 times. Do I think that it's going to happen
8 any time soon? I don't know. I'm pursuing,
9 I'm betting on a different horse at the
10 moment.

11 MR. HILL: I'd like to respond to
12 that, if I may. I also would like to see a
13 federal unit, student unit record system, and
14 also agree that we're probably not going to
15 get one. As representing one of those states
16 that does not have a system, I find it daily
17 frustrating, in order to do the work that we
18 need to do.

19 Why don't we have a system? Because
20 nobody in the state has wanted one, because we
21 haven't had legislators and governors who have
22 wanted to pay enough attention to data, to

1 have it guide policy. Institutions have by
2 and large not wanted broad-scale reporting on
3 their activities, and they've been able to
4 keep it from happening.

5 The ultimate irony to all this is
6 being from one of the four states which does
7 not have a system. Nevertheless, I'm chair of
8 the SHEEO committee which oversees the
9 SHEEO/NCES data contract. So maybe they
10 wanted the most frustrated person in the
11 organization to chair that group.

12 I'll continue to push for this, and
13 we are starting to make steps, but frankly, it
14 happened only because the U.S. Department of
15 Education, through Race to the Top funds, made
16 it clear that you were not going to have any
17 chance of getting federal aid, Race to the Top
18 funds, unless you had some sort of
19 longitudinal data system.

20 So despite everybody saying they
21 don't like the Department trying to manage, in
22 my case, it's been a good thing.

1 CHAIR STAPLES: Thank you for those
2 answers. They were very helpful. What do you
3 think, you know, in light of what's evolving
4 here, and you've given us all sorts of good
5 ideas as to what could be done to improve the
6 system, looking inwardly, what would you
7 suggest for CHEA, as its role, if any, in the
8 evolving system? I meant to say NACIQI. I
9 used the word for my friend, Judith.

10 MR. EWELL: I was just going to
11 answer, knowing that Judith is right there to
12 check me.

13 CHAIR STAPLES: No, no, I wasn't.
14 No. I meant to say what's the role of NACIQI,
15 do you see, in a system that's evolving and
16 does it have any role?

17 MR. EWELL: No, I think it does.
18 The function has to be performed, and as you
19 know, the function was performed without a
20 committee for some time, and I think the idea
21 of having a broadly representative committee
22 with input to the Department, the decision is

1 still the Department's. But it is a good
2 idea.

3 But again, as I was gently, maybe
4 not so gently admonishing you before, I think
5 you've got to get out of the weeds, and the
6 individual approval is one thing.

7 But I think that a very important
8 role for NACIQI would be to be forward-looking
9 and planning oriented, in saying what do we
10 mean by quality, and in the public interest,
11 what should quality look like? What should we
12 be looking for, and what should we be asking
13 accreditors to essentially do?

14 MR. HILL: Good comments. I don't
15 have anything to add to that.

16 CHAIR STAPLES: Thank you. We're
17 almost out of time, so I'm going to ask if Sue
18 has some questions, and then it will be the
19 last questions for this segment. Thank you.

20 MS. PHILLIPS: As it happens, Arthur
21 got most of mine. I'm going to add one other
22 question. Just to respond to the question of

1 regional, Peter, you were saying, when you
2 talked about the data-sharing project that
3 you're working on in a four-state region, and
4 tracking K-12, higher ed and unemployment,
5 that kind of sector, intriguing that is,
6 although it speaks to a regionalization
7 concept, which in other venues we've -- and in
8 other work, other times even in your address,
9 we say is regionalization even relevant any
10 more. So --

11 MR. EWELL: Well, student flow is
12 regional. Markets are regional. None of them
13 -- Marshall and I have had this conversation;
14 it's a big SHEEO conversation, none of these
15 actually follow state boundaries. I mean
16 state boundaries were drawn with entirely
17 different things in mind.

18 So regional, Peter, you were saying, when you
19 going for it in terms of some regional issues.

20 I think it's trumped, though, these days,
21 because of distance education and all of that,
22 by the fact that education is so mobile, and

1 so on.

2 There once was a case for
3 regionality. I think there still is a case
4 for regionality to some extent. But it's not
5 nearly as big a case as it used to be. I
6 think in defining the region --

7 I mean at the very least, one could
8 envision in this accreditation system of 20,
9 30 or whatever it might be, it probably, even
10 if it preserved regionality, would not have
11 the current regional structure, because the
12 current regional structure is a historical
13 creature.

14 Going through the history of
15 accreditation is fascinating, because you know
16 you had horse-trading about states. You had,
17 you know, wanted to succeed from SACS and, you
18 know, all that kind of thing. So these things
19 happen, and it's all a series of essentially
20 historical accidents, rather than being
21 planned.

22 So I think you'd have different

1 regions, even if you preserved the concept of
2 regionality.

3 MR. HILL: Those are very good
4 points. When the state authorization rule was
5 disseminated, I had several long conversations
6 with people that lead the Midwestern Higher
7 Education Compact, one of the four higher ed
8 compacts around the country.

9 Their questions were is there a role
10 for us in dealing with this? And my answer
11 was really the only role, I think, is a
12 communication and spread the information kind
13 of role, because we are presented with a
14 national issue.

15 The University of Minnesota delivers
16 much of its instruction to students in the
17 Midwest, but they have students all over the
18 country and world. So a regional solution to
19 this was not terribly useful, because while it
20 would pick up maybe a reasonable percentage of
21 the states in which they needed authorization
22 to operate, it certainly would not pick up all

1 of them.

2 So the regional compacts and so
3 forth have been very useful in my regard, but
4 not along these lines terribly.

5 CHAIR STAPLES: Thank you very much.

6 I really appreciate your testimony, and I'm
7 sure we'll be looking to you as we continue
8 this discussion. At this time, we'll take a
9 15 minute break.

10 (Whereupon, a short recess was
11 taken.)

12 CHAIR STAPLES: If the committee
13 could come to order. We'd like the audience
14 to kind of take seats as well, or if you want
15 to have a conversation, please take it
16 outside. We are going to try to move the
17 agenda a little quicker, given that it is
18 Friday and we know some people have early
19 departure plans.

20 So we're going to begin our
21 committee discussion in a minute, around the
22 first, the issues of the Triad that were

1 discussed this morning, and then when we are
2 finished with that, it is our intention to
3 begin the afternoon panel earlier, and then
4 which might be before noon, and then when we
5 finish with the afternoon panel, begin our
6 final discussions.

7 We recognize that not everybody on
8 the afternoon panel is here, and if people
9 arrive late, we will have them come on at that
10 time, even though we may have finished with
11 the other panelists. So with that, I'll ask
12 Susan to begin the discussion about the
13 earlier session.

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1 Issue Two Discussion

2 MS. PHILLIPS: Super thanks, Cam.
3 So as we did yesterday, I want to structure
4 our discussion, at least to start, with a
5 question about what is working well on the
6 issue of the Triad, which we'd want to keep,
7 what's getting better that we want to grow,
8 and then move into what are the opportunities
9 for correction, for change, for doing things
10 differently.

11 Now I noticed in our discussion
12 yesterday that we are more free form than that
13 particular structure, which is fine. But I'll
14 keep coming back to it, and I will keep a
15 running tab of issues that come up that may
16 not be quite on this agenda, but maybe things
17 that we want to include in our consideration
18 for the future.

19 So with that, let me open the floor
20 to the question of what's working well on this
21 issue that we'd want to keep, what's getting
22 better that we'd want to grow.

1 CHAIR STAPLES: And with the
2 Committee's permission, I think it might be a
3 little smoother to seek recognition, and then
4 I can keep a tab. I think yesterday's
5 discussion was useful, but I think it might be
6 easier to make sure that everyone gets a
7 chance to speak.

8 So please look to me to be
9 recognized, and I'll keep a list, and we'll
10 make sure everyone gets a chance to speak.
11 Who would like to go first?

12 (No response.)

13 CHAIR STAPLES: Okay. We'll move to
14 the panel discussion. No, just kidding, just
15 kidding. Frank.

16 MEMBER WU: I have a simple
17 question. At the end of the day, are we
18 producing a written report that is then sent
19 to the Department of ED or to Congress?

20 CHAIR STAPLES: You mean today?
21 When you say "the day" --

22 MEMBER WU: No, no. Not this day.

1 I mean --

2 CHAIR STAPLES: Oh, the day.

3 MEMBER WU: Yes, right. Is that
4 what's been generated. I'm just wondering.
5 It's a written document that will be
6 transmitted to somebody.

7 MS. PHILLIPS: So the Secretary.

8 MEMBER WU: Okay.

9 MS. PHILLIPS: That we approve of
10 beforehand.

11 CHAIR STAPLES: And I will say that
12 what I hope is that the Subcommittee will take
13 a first crack at that in September, and
14 circulate drafts, and that between September
15 and December, the committee will have, you
16 know, some exchange of information and will
17 come to a meeting in December, fully prepared
18 to either adopt, edit, you know, but
19 eventually act on a draft.

20 MEMBER KEISER: Are we talking now
21 what works with the Triad? Is that where we
22 are?

1 CHAIR STAPLES: Yes, that is the
2 subject.

3 MEMBER KEISER: Okay. I'll give you
4 my viewpoints, since everybody else is passing
5 it. It's an interesting problem, because we,
6 as an organization, my organization deals with
7 it all the time in a variety of states, and
8 first, I think accreditation works. I know
9 certainly we work at it very hard, and we are
10 different because of it, and we are better
11 because of it.

12 I think the peer review process is
13 appropriate. I was fascinated by Peter's
14 concept or comment that we should have more
15 public members.

16 I've served on two state licensing
17 boards and an accrediting commission, and I
18 served as a chair of an accrediting
19 commission, and the public members were
20 always, never said anything. They were always
21 in the background, kind of frosting on the
22 cake rather than the cake.

1 I don't see that as beneficial. I
2 mean it looks good to the public, but it
3 really doesn't improve the quality of the
4 deliberations and the process. I find in the
5 peer review process, the peers are difficult
6 and tough on each other.

7 I think the public is well-served by
8 peer reviews, because the right questions are
9 asked, because the people who are
10 practitioners know what the issues are, and
11 those who rise to serve as accreditors or
12 members of accrediting commission are the most
13 interested in self-regulation.

14 So if you had asked me, I believe
15 accreditation, of the three stools of the
16 Triad, works the best. It has its challenges,
17 because -- and I think Peter brought out --
18 there's the constant threat of lawsuit, the
19 due process requirements create a conservative
20 behavior of covering.

21 You know, they're process-oriented,
22 so therefore they watch the process carefully.

1 SACS, of course, had an institution that
2 completely plagiarized another's report, yet
3 that school was not removed because of due
4 process considerations, and those kinds of
5 challenges that the commissions face, which
6 are problematic.

7 Now the state licensing is a mess.
8 In Fargo, we have the Commission on
9 Independent Education, which reviews all the
10 out of state non-profits, all the out of state
11 for-profits, and all the in-state for-profits.

12 There is no licensure for the in-state non-
13 profits.

14 The community colleges have no
15 licensure. They are governed by their own
16 boards, and the board of governors for the
17 state university system has, as its mission,
18 to both regulate and advocate for the state
19 university system.

20 So we have these -- plus we have a
21 board of education, which tries to coordinate
22 all of that. So it's a very political

1 process, it's balkanized and it's difficult,
2 certainly for the public, to understand who,
3 you know, regulates what. It's even more
4 complicated with the new state licensing
5 requirements, which is us almost -- it is a
6 full-time job for an attorney that I have,
7 attempting to seek licensure in 50 states,
8 where in some states we can't even find who is
9 the appropriate body.

10 So that second part of the Triad,
11 the state licensing, is all over the board.
12 There's no consistency, and it's very
13 difficult certainly, I think us as a
14 government, to rely upon, to effect positive
15 change within the system.

16 The third part is the federal
17 government, which is the interesting part, and
18 since I've been appointed by the government,
19 it's hard for me to criticize it, but I will.

20 It has the power and the resources to enforce
21 many of the abuses that most of us read about
22 or are concerned about. It doesn't again, I

1 would assume, probably because of litigation
2 issues and other issues that step in.

3 But the government has the right to
4 elicit the action on issues of Title IV abuse.

5 It has the resources with the inspector
6 general, spread throughout the country, to
7 have manpower when an institution fails or
8 fails to meet the requirements of appropriate
9 public, you know, policy, and it's slow to
10 react.

11 When I served on the state licensing
12 board, this was a long time ago, but one of my
13 people served currently. When there's a
14 problem and we try to bring together the
15 resources, it's slow to act, slow to respond,
16 and students are impacted negatively because
17 of that.

18 So of the Triad, the one that we are
19 focusing on seems to be the one that I think
20 is working most effectively for the protection
21 of the consumer, and the ones that we are not,
22 in terms of the state and the feds, I think

1 that's where a lot of the work could be done
2 to improve the circumstances.

3 CHAIR STAPLES: Arthur.

4 MEMBER ROTHKOPF: I think I'd frame
5 the issue a little differently from my friend
6 Art. As I step back and I look at it from the
7 standpoint of the student, who is the
8 consumer, but I guess I also, for better or
9 worse, tend to look at it from the standpoint
10 of the taxpayer.

11 The taxpayer of this country are
12 putting up, a number that I use and I think is
13 reasonably accurate, \$150 billion a year in
14 what amounts to an entitlement, and it is
15 growing, maybe not as rapidly as Medicare, but
16 moreso or less so, but in the same growth.

17 It's probably the only place in
18 which the federal government has outsourced
19 this responsibility to the very people who are
20 interested in getting the money. We have
21 outsourced a big part of this. Not entirely;
22 there is still a federal function. But we've

1 outsourced it to accrediting bodies, whose
2 activities are paid for by the very
3 institution that they support.

4 I think it's, in my view, completely
5 untenable, and I don't know if we're talking
6 about the Triad or what, because all these
7 issues are interrelated. In a perfect world,
8 I would agree with the speakers we heard, that
9 we probably ought to blow up the system and
10 say what really is a rational way to both look
11 at the quality of the educational process,
12 which I believe the accreditors do a good job
13 of.

14 I've been on accrediting visits;
15 I've been in an institution that's been
16 accredited. I think they work quite well, and
17 I think the whole issue of, you know,
18 continuous improvement is handled generally
19 pretty well by the accrediting bodies.

20 The problem is we've stuck them with
21 the responsibility of being a gatekeeper, and
22 that therefore brings the federal government

1 on them, and we listen to these conversations
2 where the feds are imposing all these
3 requirements on them, and you know, whether
4 it's -- they have trouble meeting them. They
5 have five deficiencies, ten deficiencies, 18
6 deficiencies, and we worry about them.

7 I think the truth is this is kind of
8 where it is. I guess where I come out, is
9 since we're probably not going to blow up the
10 system, I do think that many of the
11 suggestions that were made were very good. I
12 think ideas such as trying to have more sector
13 analysis here, you know, or you need to look
14 at different kinds of institutions in
15 different kinds of ways.

16 That's not going to be easy, but I
17 think certainly the research universities
18 ought to be handled differently from trade
19 schools and differently from community
20 colleges.

21 I think the idea of multiple
22 recommendations. It's either not that you

1 pass or fail -- we kind of dealt with that one
2 yesterday. I mean it ought to be variations
3 in here. Life is full of gray areas, and we
4 ought to be able to deal with gray areas.

5 I think the need for good graduation
6 data is critical, and I'm not sure we should
7 shy from telling the world that if we're
8 responsible, there ought to be unit record
9 system. Whether we do it through the back
10 door of Race to the Top, I'd be inclined to go
11 out and say that's what we want.

12 Having more public members who are
13 knowledgeable. It may be the public members
14 you saw. But if you had some public members
15 who had a background in education, that might
16 be better, in higher education, and a lot of
17 them are just don't know anything about it.
18 They sit there and they don't have a clue.

19 I'm not sure -- and then I think
20 it's important to tell the world what
21 accreditation's about, and to make sure that
22 results of accreditation visits are available

1 to the public in a comprehensible way. I
2 think again, that's one of the suggestions
3 that Peter made.

4 So that's a list of things that I
5 think we ought to be looking at. I might say
6 we don't need another commission to look at
7 this. Maybe CHEA ought to -- CHEA, I keep on
8 saying that. I'm not at CHEA. NACIQI ought
9 to be the commission that looks at and
10 continually looks at what ought to be done in
11 this area.

12 I'm not sure we have that
13 responsibility under the statute, but I think
14 the Secretary could give it to us.

15 CHAIR STAPLES: Thank you. Bill.

16 MEMBER PEPICELLO: Yes. I'd like to
17 just sort of frame Art's comments in a
18 different light. I think that the Triad is,
19 to talk about what's getting done well, or at
20 least getting done, although I am going to go
21 free form on you shortly, I think the Triad
22 does get the job done now.

1 What Art was pointing out, quite
2 rightly, is it gets it done unartfully. It's
3 often a labyrinth and has some overlapping
4 pieces to it. But eventually it gets done all
5 the things that we want to get done, but just
6 not as efficiently or effectively as we might
7 want, and probably is a person who has much
8 more experience with the Triad than most.

9 Part of what makes it work,
10 unfortunately, are individuals and Marshall
11 Hill, although I don't -- oh, there he is.
12 He's still back there -- with whom I've worked
13 quite closely, probably more closely than he
14 would have liked on many occasions, has been a
15 leader in balancing that leg of the stool, and
16 that's what makes it work, although it still
17 clunks along, I think.

18 So you know, it's hard to say that
19 just doing it well, but it is getting done
20 what we want it to get done. Now for the free
21 form. But as we look at it, we talked about
22 today is how can we make that better. I think

1 that certainly, as we look at parceling out
2 gatekeeper from academic quality, for
3 instance, those are issues you need to look
4 at.

5 But I think for all parts of the
6 Triad, I think one of the things we need to
7 look at, and something we've been talking
8 about for the last two days, is segmentation
9 of higher education for purposes of
10 accreditation and maybe other purposes. To go
11 to Marshall's example, the TSA, I think that
12 while that's an apt analogy, there goes along
13 with that a danger, and that is the danger of
14 profiling.

15 So if we're going to look at redoing
16 the regional scope or how it might apply, I
17 think we need to say well, are we going to
18 look at institutions based on mission, on
19 size, on whether they function in a multi-
20 state way? Are we going to profile them on
21 how they achieve a certain set of outcomes?

22 Are we going to profile them

1 according to their accounting system, and if
2 so, would that go to only publicly-traded
3 accounting systems, or would that be
4 accounting systems across the board? That
5 might have other implications.

6 I know frankly, if I were going to
7 profile institutions, you know, you say well,
8 let's look at community colleges, because they
9 have a certain set of issues, or for-profits,
10 because they have a certain set of issues.
11 I'd say we ought to look at institutions that
12 have a Division 1 NCAA football team, because
13 they have a very specific set of issues right
14 now.

15 So my point is that if we're in
16 danger of profiling, maybe what we need to do
17 is sort of try to get out of the box. You
18 know, yesterday we were talking about
19 graduation rates or is that even something
20 that is appropriate? If we do want to
21 segment higher education, I think we have to
22 contextualize that in the current landscape.

1 Now Marshall spoke to having to
2 adapt to change, and certainly in Texas, I've
3 watched him do that, on almost a daily basis
4 sometimes.

5 I think if we're reconceptualizing
6 the environment for accreditation, we need to
7 look at that landscape, because things that
8 we're talking about as problems, whether it's
9 graduation rates at community colleges,
10 whether it's the accounting systems of an
11 institution of higher education, or whether
12 it's publicly-traded, may not actually be
13 problems.

14 They may be a signal for change, and
15 they may point the direction, or at least one
16 direction that we need to look at going
17 forward, as we try to reconceptualize the
18 structure of accreditation. Okay, I'll get
19 off the soapbox.

20 CHAIR STAPLES: Thank you, Bill.
21 Anne.

22 MEMBER NEAL: Well, things are

1 getting kind of quiet around here, so I'd like
2 to go back to the notion of blowing up the
3 system. I would like to take issue with the
4 statement that it has been working. Why do I
5 take issue? I think if we look at the
6 Education Department's own surveys, the
7 National Assessment of Adult Literacy, which
8 is showing that college graduates have
9 difficulty computing the price of basic office
10 goods, and have difficulty comparing two
11 editorials, to me that suggests something is
12 not quite right.

13 I think if you look at the 21st
14 Century Partnership, employers saying that
15 they are getting college graduates who do not
16 know how to write, who cannot think
17 critically.

18 The Business Roundtable came and
19 visited us last time, and showed us a video
20 they're sending out to their new members, to
21 help them train college graduates with what
22 they apparently didn't get while they were in

1 college.

2 Richard Arum came, and I thought
3 made a frightening but compelling statement
4 about how little students are learning. Very
5 little cognitive gain in the first two years,
6 and still quite little in four years. So I
7 would submit that there are very significant
8 indicia that this system has not been working
9 particularly well vis-à-vis this quality
10 issue.

11 Which is why I would like to second,
12 I think, what Arthur was saying, in terms of
13 looking at the Triad and the accreditation
14 piece. I think the accreditation piece can be
15 very good, and I think this is what Peter was
16 saying. In terms of an academic process of
17 self-improvement, I think that indeed is where
18 it works very, very well.

19 But by putting the enforcement hat
20 onto them, they have lost, I think it's made
21 it very difficult for the peer review teams to
22 be honest, and to actually do the kind of --

1 fulsome is probably the wrong word, but robust
2 review of the strengths and weaknesses.

3 I think as it's currently
4 constituted, it's rife with conflicts. You
5 have administrators and faculty on these
6 review teams who often use the process to get
7 more resources. We've seen on numerous
8 occasions, getting back to the question of
9 trustees, where since governance is one of the
10 review issues that these teams look at, it
11 effectively pits the review teams against the
12 governing bodies, the dues-paying nature of
13 the system.

14 I think these are all conflicts, in
15 terms of the way it's currently constituted,
16 vis-à-vis their enforcement role. I think the
17 public member, again it gets to the issue of
18 -- and you look even here at the NACIQI, most
19 people here are institutions that are
20 regulated, accreditors themselves, and I think
21 that we have a new chairman who is not
22 essentially regulated by accreditation, which

1 I think is very good.

2 So but the bottom line is I do think
3 that the current system is rife with
4 conflicts, and that the process of peer review
5 would be far better and far more constructive
6 if we took out the enforcement role.

7 CHAIR STAPLES: Larry.

8 MEMBER VANDERHOEF: Again, I agree
9 with that, and I don't think we should dismiss
10 the notion of starting from scratch. But I
11 wonder Anne, do you -- it doesn't seem to me
12 that we really have to blow up the system. It
13 seems to me like we start from zero with
14 regard to deciding what has to be done
15 differently and how to do it.

16 But I think in the final analysis,
17 there really are going to be parts that will
18 fit into that new composition. Do you
19 generally agree with that?

20 MEMBER NEAL: I think that's right.

21 I mean I think the pieces are there, and we
22 have to figure out what works well with those

1 pieces, and then what -- again, I keep getting
2 back to the basic question. What is the
3 federal interest here, in terms of protecting
4 the federal dollar, and then there may be
5 wonderful other pieces such as self-
6 improvement.

7 But is that a federal interest? I'm
8 not sure that that is. So I think we have to
9 get back again to the basic questions, what
10 will be the baseline, offer the baseline
11 protection to the public, providing consumer
12 information and some indication that higher ed
13 is a public good, and then what are other
14 wonderful functions that are not tied up into
15 that baseline protection of the taxpayer
16 dollar?

17 MEMBER VANDERHOEF: Yes. So in fact
18 there could be a separation of those two, of
19 those responsibilities. I think we're going
20 to hear more about that this afternoon, I'm
21 sure. Very good.

22 CHAIR STAPLES: Any further

1 comments?

2 MEMBER ROTHKOPF: Susan.

3 CHAIR STAPLES: I'm sorry, Susan,
4 yes.

5 MS. PHILLIPS: A question to follow
6 up for Anne. If we take the enforcement role
7 out of accreditation, where do we put it?

8 MEMBER NEAL: Well, I think --
9 again, this was a discussion we were starting
10 to have yesterday. I mean clearly now the
11 Department of Education has a baseline
12 financial responsibility test that it does,
13 and that has to be maintained, and perhaps
14 modified or strengthened in some way.

15 Then getting back, and it's a
16 question that I asked of our two most recent
17 panelists. Is there a common set of data that
18 institutions could supply, vis-à-vis
19 demographics, vis-à-vis licensing, vis-à-vis
20 graduation rates, although admittedly it's an
21 imperfect metric, whether or not they actually
22 assess student outcomes, and if they do, what

1 those outcomes are.

2 So basic data that will give us the
3 yes go, no don't go information that
4 consumers need to make a decision.

5 CHAIR STAPLES: Susan, do you have
6 more?

7 MS. PHILLIPS: Located and collected
8 by the Department? Is this a federal
9 responsibility?

10 MEMBER NEAL: I think it could be.
11 I think it could be a statement that
12 institutions would supply. You could have --
13 and then if -- and could certify, and if a
14 citizen or a member of the public or whomever
15 felt that it was erroneous, there could be
16 some sort of review process by the Education
17 Department.

18 That's a detail I haven't quite
19 worked out. But if you have a statement of
20 basic data from institutions to provide key
21 information, it would need to be audited, it
22 would be need to be accurate, and there would

1 need to be some sort of recourse, obviously,
2 if the institution is not being honest.

3 MS. PHILLIPS: Just one more follow-
4 up, as a general concept. In hearing the
5 discussions about differentiation, about
6 parsing sectors, about the TSA fast lane,
7 there's some sentiment about having, for X set
8 of characteristics, and I don't know what X is
9 right now, you qualify as an institution to go
10 through the fast lane.

11 You're a recognized traveler. You
12 have the viable responsibility, financial
13 responsibility. You have some minimum level
14 of quality, as far as the financial
15 obligations are concerned, something like
16 that. I'm not quite sure what that data set
17 is. Maybe I'm asking the same question that
18 you are.

19 But that gate, the credentials to
20 get into the fast lane, would be established
21 and enforced, perhaps by the feds? Is that --
22 I'm not saying this with an assertion, but I'm

1 wondering who does that? You know, if you
2 established a fast lane with a data set, where
3 then is it located, and how is it enforced,
4 much less, you know, who decides what
5 constitutes the fast lane characteristics?

6 But the TSA example's an interesting
7 one. Can we profile the ones who we don't
8 need to worry about, and then the others need
9 to go through the metal detectors and the pat
10 downs somewhat. I'm not sure how far that
11 analogy's going to go, but just a thought for
12 consideration.

13 CHAIR STAPLES: Any further
14 comments? Earl, do I see you sort of moving
15 your hand.

16 MEMBER LEWIS: Yes. Since we have
17 veered off slightly from the question that
18 Susan posed, and come back, but Anne's
19 summation raises some interesting questions
20 and some challenges.

21 So let me outline a couple, because
22 if you end up with a hearth and set of data,

1 let's use graduation rates as an example, then
2 the question becomes, if you look at the
3 entire complex of institutions in the United
4 States, some of us will actually will then
5 respond, as institutional leaders.

6 That means then we're going to take
7 fewer risks on certain kinds of students.
8 What you're going to end up saying is is that
9 one of the challenges for higher ed, the
10 consumers are also the products. I mean this
11 is interesting. We're the only industry
12 where the consumers are also the product for
13 me, in effect.

14 So if you want to make sure that you
15 maximize a certain kind of outcome, you
16 actually then regulate at the front end who
17 gets admitted into your institution, because
18 you're going to reduce then the risks that you
19 have.

20 I mean so then there comes a larger
21 question about whether that serves the
22 national interest as well, because then what

1 you're going to have is a higher threshold for
2 entering into a certain tier of institutions
3 across the complex.

4 That's the challenge and attention,
5 then, as we're trying to figure out one set of
6 metrics. It's not to say we shouldn't; but
7 it's sort of to recognize that on the front
8 end, because we will respond on the back end,
9 if in real life you're going to get penalized
10 in certain ways for certain kinds of behavior.

11 So that's the dynamic we've always
12 faced, and one of the -- from my perspective,
13 one of the interesting beauties of a system is
14 is that many of the complexes allow then
15 different kinds of entry points, and what we
16 haven't figured out is a way, then, to go back
17 to figure out then whether or not, through
18 those multiple doors, individuals then come
19 out with both having the mind and skills that
20 are needed, but also understand how to sort of
21 re-enter at a another point, if for some
22 reason they have to back out.

1 I mean it's that question there
2 about both quality and enforcement that I sort
3 of think we need to at least put on the table
4 as we go forward, because I know yes, people
5 will respond. I actually think, in going from
6 trustees to university and college
7 administrators, to admissions officers, and
8 they all will begin to understand what the
9 consequences are and direct their behavior
10 accordingly.

11 CHAIR STAPLES: Art.

12 MEMBER KEISER: Well, that's exactly
13 the problem we face, and how do you draw
14 bright lines? We spent two years, one of my
15 organizations that I'm part of, we just
16 finished coming up with a quality index, which
17 allows for diversity, allows for different
18 types of populations.

19 The problem is that it's very --
20 it's simple, but it's complicated. It is
21 possible, and we're going to be fighting with
22 Congress to establish, you know, not only is

1 graduation rate, but I think Arthur, you said
2 yesterday, placement was your mark of quality,
3 and then retention drops.

4 There are a number of factors that
5 go into these questions, and you always, you
6 don't want to limit access, and that's the
7 challenge. So it's been done. I know
8 Representative Andrews has proposed this
9 before, and hopefully there may be some
10 opportunities to look at those types of
11 measures in a, you know, multiple benchmark
12 combination that would come up with a quality
13 index.

14 CHAIR STAPLES: Frank.

15 MEMBER WU: A suggestion for a
16 future meeting. I wonder if it will be useful
17 to hear from other countries, or to learn a
18 little bit about the models that others use,
19 because people have talked about well, this
20 isn't ideal. If we blew it up and started
21 over, we'd do something different.

22 Well, what are the other models out

1 there? I have a vague sense that in most
2 other countries, there's much more government
3 control. That is, it's much more of a
4 governmental function. It's not outsourced
5 this way. But that's only a vague sense. I
6 don't know the details.

7 And a quick comment on the concept
8 that's been floated, about some sort of fast
9 lane. So there actually are two models.
10 There was an airport fast lane. Some of you
11 may bought the clear card. So this was
12 outsourced.

13 It was like a \$99 deal, and it was
14 officially TSA-approved, but they had a
15 private, for-profit vendor that set up, that
16 did your whatever, iris scan, fingerprints,
17 and you went through a process to get the
18 card, and there were fast lines. It was
19 literally a fast line.

20 There's another model though, which
21 is the government's visa waiver program. If
22 you're traveling into the U.S. and you're from

1 a list, and it changes every year. It's a
2 list of those countries that have had the
3 fewest people coming to the U.S., whose visas
4 were turned down, then you don't have to get a
5 visa. You just have your passport and you
6 come in.

7 So those two models are very
8 different. One was an outsourced model to a
9 for-profit vendor. The other was a directly
10 administered government fast lane, that's
11 still running. So if we were serious about
12 fast lanes, there are models out there. There
13 probably are in other areas of, places where
14 there's some government role. There's an
15 explicit fast lane. If we looked around, we
16 could probably find what those looked like.

17 CHAIR STAPLES: Jamie.

18 MEMBER STUDLEY: Peter Ewell made
19 the comment that we have more players than
20 just the Triad. He mentioned the media, for
21 example, and policy shops.

22 I think for me it would be helpful

1 to acknowledge that a lot of our interesting
2 ideas, thoughtful conversation and questions
3 have to do with whether there's a fourth,
4 either a fourth leg or an alternate leg in the
5 effects of the market, in the choices that
6 people make.

7 I think that's a lot of what Anne
8 and I have been trying to explore, is what is
9 the market already doing and choosing, and how
10 does it speak, and to what extent is it
11 effective, well-informed, potentially well-
12 informed, or is it not a good place or a place
13 for limited market decisions, because of the
14 nature of the information, the nature of the
15 product being extremely intangible. Its
16 results pay off over a very long time.

17 Earl was saying it's the rare place
18 where the consumer is also the product. It's
19 also what you get is completely different from
20 the other person. We may both choose -- two
21 people may choose to go to Emory and get
22 something quite different, at a quite

1 different price, over a different length of
2 time.

3 But for statistical purposes, it
4 looks like they both made the same choice to
5 enroll at X program at Emory. So this isn't a
6 solution or a recommendation; it's simply to
7 tease out the question about the appropriate
8 role, the potential and the limitations for
9 market-based decisions. Then we'll be able to
10 at least have a Roman numeral item to look at
11 that in a clear way, where I think we could
12 populate it with interesting suggestions about
13 what could be better.

14 It already plays a big part because
15 of the national values related to choice and
16 self-determination. We don't -- some other
17 countries have different systems. They also
18 have different placement systems. You're
19 qualified for X two programs, and we'd like
20 you to go to one of those two, as opposed to
21 our essentially higher education voucher
22 method.

1 We could then put comments like Dr.
2 Baum's, about the limitations of the market,
3 Anne's suggestions. What happens if you give
4 better information? Do you get more informed
5 choices, and there are members of Congress and
6 student groups who are asking for more
7 direction or more effective narrowing of the
8 field within which people make the choices
9 that we consider acceptable.

10 So it's a structural comment on the
11 Triad, whether it's really a more complicated
12 creature that gives us more options for how we
13 could pursue that.

14 CHAIR STAPLES: I'd like to just
15 briefly comment on the, I think what I heard
16 this morning and what I thought came out
17 fairly clearly as part of our discussion
18 yesterday.

19 I think one of the -- as we talked
20 about the Triad, they have different
21 functions. They also have a different
22 capacity or an interest, I think, in following

1 whatever advice we get. I guess I say that,
2 thinking that states don't have much
3 reluctance, I don't think, typically to
4 regulate.

5 But they may have no idea how they
6 fit into it. They may not know what we're
7 talking about here. They may not know there
8 is a Triad. They may not have any concept of
9 the nature of the relationship between what we
10 do, the feds do, what the accreditors do.

11 I think when Peter Ewell talked
12 about a model act, and there may be a way we
13 can provide advice, and having been in the
14 legislature for a number of years, I remember
15 the receptivity you have, we had to model
16 acts. It was the sort of sense that there was
17 a national platform that you could become part
18 of.

19 So defining what we think the right
20 actions are for each of the Triad, and then
21 providing some guidance on that, I think, is a
22 very useful function. I think on the data on

1 whether it's the reciprocity or the
2 coordination, both Art and Bill have talked
3 about the fact that the system doesn't work
4 well for certain types of institutions.

5 We may be able to provide some
6 guidance about commonality for the system,
7 common standards, common data to guide the
8 legs of the Triad, and to guide them, at least
9 in having a sense of what their role is and
10 then how their role plays into the larger part
11 and the coordination between those. I think
12 the evidence is pretty clear about cost, that
13 one of the biggest elements of cost is the
14 duplication, is having several different
15 entities operating at the same time, without
16 any coordination or sharing.

17 The federal government's role is to
18 me the hardest, just because there seems to be
19 a real reluctance. I mean we've had, I don't
20 know, every four or five years a discussion
21 around abolishing the Education Department.
22 I'm sure for those of you who work for the

1 Education Department, that's an unnerving
2 cycle to go through.

3 So there's obviously some
4 reluctance. You know, you have that should we
5 even have an Education Department, all the way
6 to No Child Left Behind, which is yes, we're
7 going to have one, and it's going to get into
8 every state and tell them exactly what to do.

9 So I think at the federal level,
10 there's this real lack of clarity, from my
11 perspective, about what role, regardless of
12 our recommendations, the federal government
13 would choose to take on. But at minimum, I
14 think I feel we can provide, based on what
15 I've heard today and yesterday, some very
16 clear sense of how the system can be focused,
17 streamlined, made more effective and defined,
18 and that there are many actors out there who
19 would take that advice, and that would have a
20 real beneficial effect.

21 Whether we go beyond that is another
22 question. But I think it's important to talk

1 about what has been a pretty clear message,
2 and I think a pretty clear starting point for
3 our work. Arthur.

4 MEMBER ROTHKOPF: Yes. Just a
5 couple of points. One, in response to Frank's
6 point about what goes on in foreign countries,
7 I am no, certainly no expert. But I have a
8 little experience. I think the great
9 difference is the centralization of authority,
10 and the absence of state rules. It's really
11 all centered in a Ministry of Education, and
12 it all begins and ends there.

13 That's, of course, the difference in
14 our systems and the great benefit and
15 challenge of the U.S. higher education system
16 is its diversity. All these missions, all
17 these accrediting bodies, all these, doing all
18 these different things, and at the same time
19 we support them all and say okay, you go to
20 any of these places and you meet these minimum
21 standards, we're going to pay for it. We have
22 the voucher system.

1 I'd say just two things. One, in
2 looking at the success or lack thereof of the
3 current Triad, I think we have to look at the
4 fact that we have a very low bar for closing
5 down institutions. It's pretty rare. As Art
6 has indicated, you often get litigation if you
7 try and close someone down, and it's often
8 done for financial reasons.

9 It's quite low, and frankly it
10 results in some of the issues we have, you
11 know, in the press. Not that I -- you know, I
12 don't make any judgments about a lot of them.

13 But there clearly are practices that have
14 gone on involving institutions, in the way in
15 which they recruit and the way in which the
16 students are there, that are going to cause
17 some significant changes, but these practices
18 have gone on.

19 Really neither the accreditor -- no
20 part of the Triad has dealt with it very
21 effectively. So I don't give the system a
22 particularly high mark for what it's been

1 doing.

2 The other point I'd make is somewhat
3 related but not totally. Yesterday, we all
4 gave a hard time to the American Bar
5 Association, you know, those of us who are
6 lawyers or don't like lawyers or left the
7 profession. We're happy to beat up on the
8 lawyers and say things like well gee we -- are
9 you turning out too many lawyers?

10 I don't know whether they turn out
11 too many lawyers or not. It's pretty
12 profitable for institutions to turn out
13 lawyers, compared to doctors. We probably
14 need more doctors than we need lawyers.
15 However, we don't ask that -- we didn't ask
16 the same question of some of these other
17 groups. Are they turning out too many? Are
18 we turning out, I actually said, are we
19 turning out too many cosmetologists? I mean
20 what's the need for them?

21 And it kind of goes into the whole
22 question of why are we giving the money to

1 people, and maybe we need more cosmetologists,
2 or we need more radiologist assistants. But
3 do we look at that question before we say are
4 we going to give aid to, are we going to give
5 aid to students to take up a field, where in
6 that particular local region, and remember
7 everything is local, you know.

8 Someone who's working in, who's
9 going to school in Detroit, where there may
10 not be any openings there, but there are lots
11 of openings in Oklahoma and Miami. Do we take
12 that into account? I actually think we
13 should, and I think we should look at are we
14 giving aid, in the form of both grants and
15 financial aid, to individuals, where they're
16 taking up courses of study where there really
17 are no options?

18 I'm not talking about how much
19 they'll make and, you know, getting into the
20 gainful employment. Just are there openings
21 there, and what happens. There, you've got to
22 look at what kind of employment opportunities

1 actually exist. So I think that ought to be
2 part of, some part of this equation.

3 CHAIR STAPLES: Susan.

4 MS. PHILLIPS: So we've done a
5 really good job of answering my question of
6 what's working well, don't you think? I want
7 to just give one more opportunity for people
8 to speak to that, what's working well, what do
9 we want to keep, what's getting better that
10 we'd want to grow.

11 So far, what we have is two items on
12 our list. One is accreditation as a process
13 of self-improvement as something we're doing
14 well, that is being done well, and second, the
15 Triad gets the job done, albeit unartfully and
16 clunkily. We do have a long list of
17 Opportunities for correction, for change and
18 for doing things differently.

19 So far, what I have in that list is
20 perhaps increasing NACIQI's role in
21 considering the policy questions; taking the
22 enforcement role out of accreditation;

1 considering who earns access to the fast lane.
2 More parsing of sectors, defined in some way
3 that we're not quite sure, and how to make
4 accreditation meaningful and available to the
5 public, and to members of the Triad.

6 A quick interim summary. I want to
7 encourage discussion, again since you do so
8 well on following my structure on either
9 what's working well or on opportunities for
10 correction and change. It gets the
11 conversation started.

12 CHAIR STAPLES: Anybody who hasn't
13 spoken like to address those issues? Yes,
14 Federico.

15 MEMBER ZARAGOZA: Again, in terms of
16 what's working well, and I don't think we
17 should understate the importance of the checks
18 and balances. You know, I think that that's
19 an important dimension of the overall system.
20 I really was moved by Earl's observation on
21 access. I think that that's a dimension that
22 we have to be very concerned with, either way

1 that we're structured.

2 Clearly, there are many moving parts
3 to the system, and I think that the Triad at
4 times is not as aligned, and I'm sure that
5 there's going to be time for discussion of
6 that. But we're looking at issues like
7 placement and retention, etcetera.

8 A lot of that is occurring at the
9 state level. Certainly for community
10 colleges. So I think that the more that we do
11 the tiered accreditation and sectoral reviews,
12 I think the better we're going to be able to
13 get our hands or our arms around the whole
14 issue of accreditation and the respective
15 roles that we take in that process.

16 So I think there's a lot more that
17 can be done between the Triad partners, to
18 kind of identify areas of overlap and to
19 enhance the communication system. I was a
20 little bit kind of dismayed that when we talk
21 about self-improvement, that it does not
22 become a code word, I think, for closed

1 systems.

2 You know, I think that public member
3 engagement is important, and I think that
4 transparency is important.

5 CHAIR STAPLES: Thank you. Just
6 before I recognize you Anne, anybody else who
7 hasn't spoken like to offer some comments?

8 (No response.)

9 CHAIR STAPLES: Okay, Anne?

10 MEMBER NEAL: Just to the point on
11 access, I think we're in agreement that there
12 should be no limit on access. That gets back,
13 then, to the question of student success. I
14 think one of the reasons that we're here and
15 we're grappling with these issues, that we're
16 looking at 57 percent of students are
17 graduating in six years; the average debt is
18 \$24,000.

19 Obviously, we want access, and then
20 we want to ensure student success, so that
21 when they get out, they get a job, they can
22 pay off their federal loans and go on to

1 succeed. So I don't think they're mutually
2 exclusive.

3 CHAIR STAPLES: Yes, Jamie.

4 MEMBER STUDLEY: I'd like to share
5 an email I got from somebody in California at
6 the state level, looking for exactly this kind
7 of guidance. So it's to reinforce Susan's
8 question, not to answer them.

9 In speaking about some help that
10 they were seeking to help the legislature
11 understand what California might do, this
12 person said "It seems that what the Department
13 of Education attempted to tell states was that
14 simply relying on accreditation is not
15 sufficient.

16 "I would really appreciate details
17 about where the states should take an active
18 oversight role on colleges, and where the
19 state might rely on accreditation."

20 So I think that's a form of
21 guidance. For many states, they are trying to
22 say how can they lean on accreditation; when

1 can that be their version of a fast lane,
2 because it's a reliable distinction, and is
3 there something that's not included with an
4 accreditation that the state ought to look at.

5 It's just another source of the kind
6 of role, that what we do, can play, to help
7 others know how to sort out the Triad as well.

8 CHAIR STAPLES: Any more comments?
9 Yes, Earl.

10 MEMBER LEWIS: I had one more. It
11 strikes me, at least we heard this morning,
12 and perhaps even going back to yesterday, that
13 even with all of the inherent conflicts,
14 there's an understanding or say it
15 differently, there's still a valuing of the
16 peer review process.

17 I mean there's a way in which trying
18 to understand the institutional quality is
19 important, and that it's best done by
20 individuals who actually understand or engage
21 in some type of peer review process. One of
22 the challenges which is on the table is how do

1 you manage the conflicts, meaning where
2 conflicts can be eliminated, you always try to
3 do that.

4 But in some cases, it's actually
5 about how you manage those conflicts, and that
6 too is sort of there in the discussion matrix
7 that we've had for the last few days.

8 CHAIR STAPLES: Any more discussion?

9 If not, with your indulgence, I think we'll
10 proceed directly to the panel discussion that
11 we have, and I know we may not have all the
12 panelists, but we have, I believe three out
13 of four present.

14 So why don't you come forward, those
15 of you who are here, and we'll begin the panel
16 discussion that we had scheduled for later,
17 and if you'd like, if all of you who are
18 present are welcome to come forward.

19

20

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23

1 Issue Three-Accreditor Scope, Alignment and
2 Accountability

3 MS. PHILLIPS: In moving to Issue 3,
4 as you know the three issues that we've
5 considered were data regulation, data needs
6 and regulatory burden, the Triad and now
7 accreditor scope, alignment and
8 accountability.

9 Again, they're not always separate,
10 these three and the perspectives that we take
11 on them will certainly be informed by the
12 discussions that we have had and that we will
13 have. Thank you so much for joining us.

14 CHAIR STAPLES: Good morning. We
15 welcome your presentations, and please proceed
16 in whatever order you choose to do so.

17 MS. EATON: Thank you Ralph, and
18 good morning to members of the Committee. I
19 appreciate the opportunity to talk with you
20 this morning.

21 Before I get started, Peter Ewell
22 made reference to two documents with regard to

1 states and accreditation. One had to do with
2 state uses of accreditation, one had to do
3 with state uses of accreditation, and the
4 other had to with accreditation requests for
5 data and how that ties into the broader
6 picture of the Triad.

7 Both are CHEA occasional papers.
8 Both are available on our website. Both do
9 not involve any charge, and Melissa, I'll send
10 those along to you for the Committee's
11 pleasure, all right. I want to stress several
12 points in my testimony, and then hopefully tie
13 these points to the issues of scope and
14 alignment and accountability.

15 I start out in my testimony talking
16 about how we frame this conversation, and in a
17 number of instances, it's been framed around
18 the notion that accreditation is somehow or
19 another broken. As an enterprise, it doesn't
20 work, and I'm suggesting, as a number of other
21 people have, Committee members and presenters
22 and commenters, that the issue here is really

1 misalignment, that we don't have an alignment
2 when it comes to accountability.

3 Accreditation historically has had
4 primary accountability to institutions. The
5 call now is for primary accountability to the
6 public. Accreditation has standards that are
7 aspirational in nature for the most part. The
8 call now is that the standards be summative in
9 nature, and accreditation is heavily invested,
10 as you know, in peer review and self-
11 regulation, two processes about which there's
12 an enormous amount of public doubt at present.

13 The reason I mention those things,
14 my second point, isn't to rehearse them again,
15 but to indicate that I believe that, in
16 talking about accreditation being broken
17 versus misalignment, we're overlooking
18 something extremely important in higher
19 education, and I think we put ourselves at
20 risk at doing so.

21 That is that part of the strength of
22 higher education, as we know it, is the result

1 of a very strong, long-standing investment in
2 academic leadership from our institutions.
3 Accreditation is built around that.

4 So my point is that that needs to be
5 acknowledged in public policy. We need to
6 avoid a trap. The more national our
7 expectations are, the less institutional those
8 expectations will be.

9 We need to protect the opportunity
10 for academic leadership from our institutions.

11 That does not rule out a number of things
12 that we've talked about, by the way, but I do
13 think it's significant. Several times this
14 morning, points have been made with regard to
15 higher education and quality assurance outside
16 the U.S., internationally.

17 This is an area in which I have done
18 a great deal of work, and no other country has
19 the investment in institutional leadership
20 that we do, here in the U.S. Some are
21 striving to achieve that, and sometimes point
22 out to me at meetings, a bit ironically, are

1 giving up what we're trying to capture?
2 Something on which to reflect.

3 My third point is about change and
4 it's about change, both for institutions and
5 accreditors. I talk about first, the need for
6 focus on performance from our institutions.
7 The public wants to know what's happening to
8 students. I think we could respond to that
9 more effectively than we currently do.

10 This is familiar to all of us. But
11 if we had some set, and I offered this in my
12 testimony at your February meeting, some small
13 set of performance indicators, whether it's
14 graduation or progress towards an educational
15 goal, or whether the student transfers or
16 whether the student goes to graduate school or
17 in some instances job placement, that
18 information, that information about
19 performance were readily available, I
20 certainly think that would be a gain for
21 higher education, for quality and for the
22 public.

1 I'm not calling for common
2 standards. I'm not calling for national
3 standards. These performance indicators need
4 to be grounded in the institutions. They need
5 to be driven by the capacity of institutions.

6 With regard to national or common
7 standards, or even as I look at the degree
8 profiles, my concern is not ideological; it's
9 practical. We have thousands and thousands of
10 institutions out there. If you look at all
11 the institutions, postsecondary, that are
12 accredited, there are over 7,000.

13 Of them, not all of them are in
14 Title IV. I don't know what it would mean to
15 apply national standards in a meaningful to
16 all of these institutions in this country. So
17 can we take a more, if you will, organic
18 approach to the notion of having indicators of
19 successful performance?

20 And related to that, a second change
21 over time, is encouraging comparisons among
22 institutions with regard to performance. I

1 think that this is starting to happen in a
2 number of ways. I think it can go further.
3 The comparison here, I'm not talking about
4 rankings, and I'm not talking about ratings.
5 I'm talking about having information available
6 to students.

7 If you took something like a web-
8 based tool, like college navigator, and it had
9 those indicators on it, and I'm a student, and
10 I can go look for well, I can already look for
11 graduation. But if I can look for other
12 information about what happens to students,
13 that's the key thing, in the institution, then
14 that can influence my choice about attending a
15 college or university.

16 Where am I most likely to transfer?
17 There's no guarantee, but what's the history
18 of this institution? Where do students go to
19 graduate schools in particular fields? But if
20 we're going to talk about evolution, if you
21 will, this is certainly a start for us. And
22 again, it's being done in some places.

1 If we want to publish information
2 like that, we've got several templates, CHEA
3 has, that we've had out there for a number of
4 years, summarizing accreditation, looking at
5 an institutional profile that would include
6 information about indicators that might be
7 considered, again, as a start.

8 We also, I believe, need to be
9 looking at change with regard to how
10 accrediting organizations operate. There's a
11 huge amount of information out there about
12 accreditation process. If you go to any
13 recognized accreditor's website, you will find
14 this.

15 It's not always easy for persons
16 outside of higher education or accreditation
17 to understand more steps to make that clearer,
18 because the credibility and confidence in
19 accreditation is vitally important to all of
20 us.

21 In addition, taking additional
22 steps, and this is not a popular item, to

1 provide more information about what accredited
2 status means. It means meeting standards.
3 But what does that mean? What does it say
4 about the performance of an institution?

5 I mention that with some
6 trepidation, because we took a step toward
7 doing that in the CHEA recognition policy and
8 a revision of our standards, and we were not
9 greeted with praise and flowers strewn in our
10 path. We met significant, significant
11 resistance with regard to that.

12 My fourth point is about a caution.
13 There's interest in structures other than
14 regional accreditation. This is intriguing to
15 me. Five years ago, we were not talking this
16 way. It's become okay. This is tied, of
17 course, to the issue of scope, and I'll come
18 to that in a couple of minutes.

19 If we want to pursue alternative
20 models of accreditation, we don't need to do
21 it through regional accreditation necessarily.
22 We don't need to do it instead of regional

1 accreditation. We can just go do it. We can
2 create another 501(c)(3) accrediting
3 organization that focuses on sector, all
4 right, if one wishes. I'm not endorsing or
5 not endorsing that idea.

6 Texas says it's going to do that,
7 through the establishment of a national
8 outcomes-based accreditation model. But I
9 wouldn't want to see regional accreditation,
10 and everybody around the table is agreed that
11 it adds value in some very significant ways to
12 higher education. I wouldn't want to see
13 that, if you will, cannibalized in the
14 process.

15 Another caution, and this has to do
16 with the role of government, I think it's
17 important for us to keep in mind that
18 accreditation is the creation of the higher
19 education community. There is a powerful
20 federal interest acknowledged, and Art has
21 reminded us about \$150 billion a year. I
22 think that's a lot of money, and he's quite

1 right.

2 But I think it's important to keep
3 in mind the distinction between the federal
4 interest on the one hand, and the creators and
5 managers and funders of accreditation, and
6 that is the higher education, the higher
7 education community itself.

8 We need to work together, but these
9 fundamental questions about scope, about
10 structure, about intent, these are questions
11 that involve the entire higher education
12 community, and changes that would have to come
13 through the higher education community.

14 Now you can force that, and the
15 Department of Education does. It had a very
16 significant influence on how accreditation
17 operates. But I think it's important to keep
18 in mind that we are talking about an
19 enterprise with its origins in higher
20 education that is maintained by higher
21 education.

22 My next caution has to do with

1 really reflecting on the last two days, as an
2 example, the consideration of the various
3 accrediting organizations. I went home and I
4 had nothing better to do for half an hour, so
5 I counted up all the different citations, and
6 if I counted right, I had 147. I may be off,
7 I was tired.

8 Then I -- that was across eight
9 accrediting organizations. Then I tried to
10 break them down into a number of categories.
11 Where were people concerned? A lot of those
12 citations had to do with standards
13 enforcement. A significant number had to do
14 with substantive change.

15 They were almost all focused on
16 accreditation operation. Now I heard the
17 words granularity yesterday. I heard the word
18 "picky" yesterday. We were at a level of
19 very, very, very great detail. Is that what
20 the federal review process is to be, needs to
21 be, as we're reflecting on some changes, or is
22 it about the broader issues of the

1 relationship between the federal government
2 and the higher education community, and how we
3 work together around the very, very important
4 issue of providing quality education.

5 I am worried about over-management,
6 if you will, and I'm worried about the level
7 at which are entering the discourse and the
8 public benefit that we're all trying to
9 provide.

10 As I said in my testimony, I see
11 what's done here is enabling a very important
12 process, and I wouldn't like to see it moved
13 to designing or managing that process to the
14 exclusion of the judgment of those in higher
15 education. So quickly, those are just a few
16 thoughts about framing this issue of the
17 future of accreditation.

18 Please, let's not jettison
19 institutional leadership. A call again for
20 change, change both in what institutions do
21 and what accreditors do, and then a caution,
22 that the federal interest is part of the

1 accreditation picture, but not all of the
2 accreditation picture, and the need to avoid
3 over-managing.

4 How does that tie to scope,
5 alignment and accountability? With regard to
6 scope, ultimately, scope is up to institutions
7 and accreditors. You bless scope for purposes
8 of serving -- accreditation serving a federal
9 interest. But need in the higher ed
10 community academics and accreditors to be
11 talking about this.

12 Second with regard to scope, I
13 really don't think we need to try alternative
14 structures of accreditation at the price of
15 regional accreditation. I think that if
16 there's sufficient interest in alternative
17 accreditation models like a sector approach,
18 that can be done, just as regional
19 accreditation continues to carry on its work.

20 With regard to alignment, I read the
21 words in the draft over and over and over
22 again, and I take those words to be a call for

1 common international standards. I suggest
2 again that's not desirable, and I think it's
3 not desirable because I don't believe that it
4 is workable.

5 With regard to accountability, I do
6 think that several of the changes, to which I
7 spoke earlier about greater emphasis on
8 performance through indicators, an
9 encouragement of comparisons, more opportunity
10 for public scrutiny of the thinking that goes
11 into determining accredited status, that all
12 of those things can contribute to a greater
13 emphasis on accountability, and providing a
14 greater response to the public and its needs
15 for information about what we do, which of
16 course ties to the fundamental issue of the
17 money that is at stake for all of us. Thank
18 you, Mr. Chairman.

19 CHAIR STAPLES: Thank you very much.
20 I'm sure we'll have questions for you.
21 Ralph.

22 MR. WOLFF: Thank you, and I

1 appreciate the opportunity to appear before
2 you. Just so you know, I represent -- I'm
3 Ralph Wolff, and I represent Senior College
4 Commission or WASC.

5 There's a community college
6 commission as well. We're one of other
7 smaller geographically, one might say, though
8 we reach out to the Pacific Islands. But two
9 main states, California, Hawaii, Guam and
10 several Pacific Islands.

11 A million students. We accredit 163
12 institutions. But we have 20 new
13 institutions that are seeking our
14 Accreditation, and an additional 40 who are
15 talking to us. We range in size, our
16 institutions, from 35 students to over 75,000
17 students. Our region is non-majority. Most
18 of our institutions are non-majority.

19 So we're not the smallest regional
20 accreditor. SACS and HLC are certainly much
21 larger. But we think our size and our
22 location give us an opportunity to be

1 innovative, and so I'd like to describe some
2 of the steps that we're taking, that frankly
3 we're going to need to -- some time and
4 support to implement, from both the Department
5 and NACIQI.

6 We're not waiting for more
7 regulation. We're not waiting for
8 legislation. We're moving forward, and we
9 believe passionately in regional
10 Accreditation. I would agree that if one were
11 to reconfigure the regions, they wouldn't be
12 the same. Nineteen states versus the way we
13 currently are.

14 But it is the cards that we've been
15 dealt, and we work the best. We talk with one
16 another. We are working on common areas.
17 We're trying to work together with
18 commissioners, as well as the executives.

19 I want to say that the framing of
20 the conversation in the last couple of days
21 largely has been around the two dual roles of
22 accreditation, gatekeeping and quality

1 improvement. I would submit to you that that
2 kind of framing no longer works, and I would
3 urge you to move beyond that framing.

4 Picking up on things that Judith
5 said, but what also my 25-member commission
6 strongly believes, that accreditation has
7 worked well in responding to the questions
8 that have historically been asked of us, but a
9 new set of issues and questions are now being
10 asked, and we need to change.

11 That change is a public
12 accountability agenda. There is something
13 different in that agenda than a gatekeeping
14 function. I sent out to you a chart. I
15 actually have it in my briefcase, a three-
16 column chart, that shows in my opinion that
17 I've drafted, that the Commission has
18 approved, of the difference between the
19 gatekeeping and quality improvement functions,
20 and why and how a public agenda, public
21 accountability function is really important
22 for accreditation.

1 Gatekeeping is about minimum
2 thresholds. It's for new institutions,
3 institutions on sanction. But when
4 institutions have been accredited and
5 reaccredited over time, we are not talking
6 about thresholds, in most areas. Quality
7 improvement is about selecting areas where
8 focused improvement can be accomplished.

9 But I think the public is asking of
10 us, not just Congress, and this is way more
11 than \$150 billion in aid, the public is asking
12 about the effectiveness of our system, of both
13 higher education and quality assurance. We
14 believe, my commission believes, that this
15 public accountability agenda is a new role for
16 us, an important role for us, and one that we
17 welcome and embrace, and we are innovating to
18 establish that role.

19 It's not going to be easy, it is
20 controversial, and I'd like to describe the
21 way in which we are approaching it. We also
22 believe that we can choose to address these

1 accountability issues, but if we don't, that
2 we will not be serving the public, and today's
3 and particularly tomorrow's students will.

4 So to put our change in a nutshell,
5 we believe that accreditation needs to shift
6 from a focus on institutional processes, to a
7 focus on results. We've just received grants,
8 1.5 million from the Lumina Foundation, and
9 have a promise of an additional grant from the
10 Hewlett Foundation, to support the efforts I'm
11 going to describe.

12 I've also sent to you an overview of
13 the redesign process, and I think it addresses
14 a number of the concerns, at least as an
15 experiment, a pilot of what one regional
16 accreditor would do, and I think these kinds
17 of innovations and other innovations that
18 regionals are undertaking, represent one of
19 the values and virtues of the regional
20 process.

21 I would just also add 85 percent of
22 students today attend universities and

1 colleges close to home. So there is real
2 value in being able to address to regional
3 needs. The challenges that we are now
4 innovating to address we think respond,
5 certainly the needs to our region, and they
6 may be useful to others.

7 We are doing these changes that I
8 will describe, we are undertaking them,
9 because we think they're the right thing to
10 do. We don't believe that we should do them
11 only because we're being forced to, because of
12 either regulations or threat of NACIQI taking
13 action or Congress.

14 We think this is what our
15 responsibility should be, to meet the changes
16 that are already occurring. So I want to
17 highlight seven major changes that we're
18 undertaking, and we think each and every one
19 of them is significant, substantial, and
20 addresses these public accountability
21 concerns.

22 One. First, external validation of

1 retention and graduation rates. For the last
2 three years, we have made graduation rates
3 central to our process we've made a part of
4 every accrediting review.

5 Our internal studies have shown that
6 as institutions address retention and
7 graduation, that there already is a
8 considerable amount of data that institutions
9 have, well beyond IPEDS, but that what
10 institutions need is better application of
11 that data, benchmarking of that data, and
12 bringing the research that is available, how
13 to bring or how to improve graduation, into
14 the actual infrastructure of the institution.

15 Our teams need greater training and
16 consistency on addressing what is good enough.
17 We believe strongly that graduation rates need
18 to be reviewed in the context of each
19 institution's mission and student
20 characteristics. There is no single bright
21 line that will work for all institutions.

22 But there is a need to validate the

1 graduation rates, disaggregated, of the
2 institutions we accredit. And as we have
3 undertaken our studies and our work with
4 institutions, there are some rates, particularly
5 when disaggregated, that we do not believe are
6 acceptable, and we therefore want to move,
7 work with institutions, to improve them.

8 We therefore are moving to require
9 each institution to provide us their
10 graduation rates at each degree level,
11 disaggregating by sex or gender, race,
12 ethnicity and Pell, or SES, with the
13 institution's own self-assessment of the
14 appropriateness of these rates and external
15 benchmarking.

16 We intend to create panels of
17 evaluators who would be trained to work with
18 these data. There would be many different
19 approaches that institutions would use, and
20 offline to work to review them, and to
21 identify where the rates are exceptional, and
22 therefore can be taken off the table, and to

1 identify those institutions with whom we need
2 to work more.

3 We have an idea, we're providing
4 workshops, support, what I call student
5 success SWAT teams to work with institutions,
6 to improve these rates in targeted areas.

7 Number two, externally validating
8 results in key learning competencies. For the
9 past 22 years, we have required institutions
10 to assess student learning. There's been
11 tremendous work, as we already have shifted
12 our entire process to focus more on student
13 learning. There's been tremendous progress
14 made by institutions.

15 But our own evaluation is that we've
16 tended to focus more on the process of
17 assessment, and have been less effective in
18 addressing what are our appropriate results,
19 and in what key areas should we be identifying
20 results.

21 We do not believe that there is a
22 single metric or a single measure, but we do

1 believe that institutions do have a
2 responsibility in key areas to identify how
3 they are assessing and benchmarking the
4 learning results, to assure that college
5 graduate competencies are appropriate and
6 effective.

7 In this same way with retention, we
8 have a task force working on this, and they
9 are recommending that we identify such key
10 areas as writing, critical thinking,
11 quantitative reasoning, possibly information
12 literacy, to develop with institutions a set
13 of measures that would be used.

14 Some could be externally validated,
15 like the CAT, the CLA, CAAP and MAPP. Others
16 would be -- another approach would be using
17 scored, cross-institutionally scored rubrics.

18 Over 2,000 institutions are already using a
19 AAC&U's LEAP and VALUE rubrics. The idea
20 again is to externally validate what is good
21 enough, based on the institution's context.

22 We again would train evaluators

1 especially with these measures how to work
2 with them, to evaluate and to identify within
3 institutions where we think further progress
4 would be made.

5 Our goal is to create learning
6 communities around these topical areas, to
7 support institutions to improve. This is not
8 about minimum standards, but about developing
9 a common discourse and public accountability,
10 that we are taking seriously in key areas the
11 capacities and competencies of our
12 institution's graduates.

13 Third, exploring the use of a degree
14 qualifications profile. Part of our grant
15 support is to work with a profile. Peter
16 mentioned it. Lumina Foundation has spent
17 well over a year developing and studying
18 international models, the American system.

19 My commission has reviewed the
20 degree profile and found that it could add
21 significant value to the conversations we have
22 in accreditation, particularly in aligning and

1 defining differences between associate,
2 bachelors and masters degrees.

3 We do not see it as a template
4 rigidly to apply to institutions, but we are
5 engaged in the process of exploring how this
6 template might have, or the profile might have
7 value in the accrediting process. We think
8 it might help students, it could assist
9 transfers. These are assumptions that would
10 need to be tested.

11 Fourth, increasing the transparency
12 of our accrediting process and the results.
13 One of the most common criticisms of
14 accreditation is our lack of transparency. We
15 have a task force on transparency and public
16 reporting. Many presidents and others are on
17 that, including public members, and they are
18 recommending that our action letters be made
19 public.

20 They are typically quite
21 substantive, three to eight, sometimes ten
22 pages long, that they be made public and that

1 we work with our institutions to develop a set
2 of quality indicators that would be issued
3 after a comprehensive reviews of institutions,
4 that would be reported publicly and placed on
5 our website.

6 That's quite controversial, lot say
7 the least. The latter part, the report card
8 if you will, or the quality indicators, and my
9 commission is committed to exploring how we
10 might do this in a way that is responsive to
11 the public's desire to know what did our
12 evaluation mean, but not in ways that -- we
13 want to do no harm, but we also want to be
14 publicly transparent.

15 We also fifth, exploring multiple
16 levels of accreditation. I should add, part
17 of the foundation of this is that we did an
18 extensive multi-year external review of our
19 current model. We also had six authors write
20 papers on what the future, what a future WASC
21 model would look like, that is focused more on
22 students.

1 Kevin Carey, who will be here
2 briefly in a while, was one of the paper
3 authors. Art Levine, Woodrow Wilson
4 Foundation, was another. Peter Ewell wrote on
5 the changing ecology in higher education.

6 Brice Harris wrote on the
7 relationship between community and senior
8 ecologists. Pat Hutchings (ph) wrote on the
9 role of faculty and focusing on student
10 learning outcomes assessment.

11 We had the founder of the
12 International Futures Forum in Scotland,
13 Graham Leicester, who's working on
14 transformative change in education
15 internationally, with Maureen O'Hara, write a
16 paper on WASC as a public advocate and
17 cultural leader.

18 These papers laid a foundation, and
19 several of the authors talked about the need
20 to move beyond a single, one-action model or
21 with variations, and to talk about multiple
22 levels. Again, very controversial. We want

1 to explore both multiple levels, and even the
2 possibility of institutions voluntarily
3 seeking additional commendation or conditional
4 recognition, similar to what the Carnegie
5 Foundation has done with community engagement.

6 Sixth, we are moving to establish
7 special protocols for for-profit institutions.

8 We recognize we have a steep learning curve,
9 particularly with publicly-traded
10 institutions. The commission has already
11 agreed that we will move with large, publicly-
12 traded institutions to work with an outside
13 auditing firm, to study their finances, to
14 review their finances.

15 We're working to establish new
16 protocols on recruitment and financial aid.
17 We even are exploring the possibility when
18 certain triggers are met, whether we would
19 establish secret shopper programs of our own
20 or outsource those. But we acknowledge that
21 we need to be much more substantial in our
22 review of these large, publicly-traded and

1 often venture capital institutions.

2 Seventh, we are significantly -- we
3 are committed to significantly redesigning our
4 entire evaluation process, to move our focus
5 away from the do-it-all in a visit model, to
6 creating a set of indicators that would enable
7 us to take those institutions that have a long
8 history of successful reaffirmation and say
9 how can we simplify and adapt a process, how
10 can we use public available data, and focus
11 our attention where the need is the greatest.

12 In this regard, while I'm not saying
13 I would support segmental models of
14 accreditation, I believe that the concerns
15 expressed of Princeton and others, that having
16 a one-size-fits-all model across all
17 institutions makes little sense, and we need
18 to find ways of creating a highly adaptive
19 process that responds to the different kinds
20 of institutions.

21 Together, these changes will lead,
22 we believe, to a redesigned accrediting

1 process, that will be accountability-centered,
2 transparent, adaptive to institutional history
3 and performance, and far more cost-effective
4 to institutions and responsive to the public.

5 These initiatives are bold, untested
6 in some cases. We really have to learn
7 together, and even controversial. But I want
8 to say we are committed to situating the
9 standards of performance within the
10 institution, and believe that is where
11 standards of performance need to be set.

12 Our role is to validate, that given
13 the institution's mission and context, those
14 standards are appropriate, and to externally
15 make sure that they are externally validated.

16 We do not believe that is the role of the
17 department or the Congress to set those
18 standards.

19 So I would be glad to answer
20 questions about other issues, but I want to
21 say that we believe that this is the future
22 direction that accreditation needs to take.

1 We're willing to take the challenge and to
2 embrace it. We'd like to learn together with
3 you, with the Department, but we're going to
4 need adaptiveness on the part of the
5 Department.

6 We need to not have a definition
7 that every review has to look at every
8 standard every time we do a review. We've got
9 to find ways to make distinctions between
10 where it is warranted and where it is not.
11 I'll stop there. Thank you very much.

12 CHAIR STAPLES: Thank you, and those
13 are both very interesting presentations. I
14 think what we're going to do right now is we
15 have -- we're having our lunch delivered, so
16 that we can eat during the process. We're
17 going to take a brief break to have that
18 brought in.

19 If you don't mind remaining for
20 questions thereafter, it will be very helpful.

21 So we'll take about a ten minute break to
22 have the food brought in.

1 (Whereupon, at 11:58 a.m., a
2 luncheon recess was taken.)
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1 with which you are going about your work.

2 There are many issues that I looked
3 at your agenda, and I don't envy any of you.
4 But I know that the issue that you want, those
5 of us on this panel to address, is accreditor
6 scope, alignment and accountability. So
7 although I have lots to say about other
8 aspects of accreditation, I'm going to try and
9 address those issues specifically.

10 I hope you'll indulge me for just a
11 few minutes, by giving you some insight into
12 why I have taken such an interest in this
13 issue, and it really is a story. So I'm going
14 to tell you a story. It began with our mid --
15 hi Larry. It began with our mid-term review
16 several years ago.

17 We are under Middle States, and we
18 were undergoing our normal five-year review.
19 The review team visited. These were peers
20 from comparable institutions, and wrote a
21 report to Middle States that my Public
22 Relations office could have written.

1 To quote one of the things they
2 said, is that they had never encountered such
3 commitment to continuous improvement. Not too
4 long after that, we received notice from
5 Middle States that the views of those two peer
6 reviewers had been overruled, and in fact
7 Middle States was now requesting a progress
8 letter that documented, and here are the
9 words, "comprehensive, integrated and
10 sustained processes to assess institutional
11 effectiveness and student learning outcomes."

12 And implied in this letter we
13 received was a threat, that if we were not
14 going to comply with the requirements of
15 Middle States, that our reaccreditation in
16 five years was really under question. So
17 needless to say, this came as a bit of a
18 surprise to us, and we reached out to Middle
19 States and asked if they would come and
20 explain to us what this letter meant.

21 We had a meeting with a subset of
22 both the staff and the commissioners of Middle

1 States, who in explaining to us what was, how
2 we were remiss, explained that their ideal
3 happened at another university, where when the
4 reviewers arrived, they were presented with an
5 entire room full of black binders, and those
6 black binders were absolutely chock full of
7 student learning assessments from literally
8 every course that was taught at that
9 particular university.

10 This was given to us, sort of as a
11 standard that we could aspire to. I have to
12 tell you that this was a sobering experience
13 for those of us at Princeton, because what it
14 suggested is that the staff and the
15 commissioners were substituting their view of
16 continuous improvement, using a definition
17 that we viewed as very narrow, for the view of
18 both the faculty and the administration at
19 Princeton, as well as the two peer reviewers,
20 who had visited us.

21 It suggested to us that we needed,
22 as a community, to go back to the fundamental

1 question of what is the purpose of having an
2 accreditation system. As I see it, there are
3 really two important goals of accreditation.

4 The most important, in my view, is
5 the very important role of providing assurance
6 to the federal government that the federal
7 dollars that are expended in institutions like
8 all of ours are being well-used, and that the
9 federal grants and the federal loans are in
10 fact money well-spent, and are leading to what
11 I understand, from listening to Secretary
12 Spellings in the Bush administration and now
13 Secretary Duncan in this administration, are
14 really the two key goals, which are to have
15 students who embark on a college education
16 actually able to complete that education in a
17 timely fashion, and second, that that
18 education leads them to jobs that take
19 advantage of the education that they have
20 received.

21 Nowhere in this exchange that we had
22 with Middle States was there even a hint that

1 those two fundamental important primary goals
2 of accreditation were under review. So we
3 began to think about how we had gotten to this
4 place, where there seemed, at least in our
5 minds, a disconnect between the goals of
6 accreditation and what was happening in the
7 accreditation process.

8 As you know, I think from a letter
9 that I sent to Commissioner Phillips in
10 January, we would like explore with you two
11 potential solutions to what I think are
12 structural problems in the system.

13 The first of these is clearly the
14 way in which accreditation agencies are
15 organized in this country, and whether, and
16 really to ask the question, is geography still
17 the most useful organizing principle for
18 accreditation, especially at a time when many
19 of our nation's leading institutions draw
20 their students not just nationally anymore,
21 but we're drawing our students from all over
22 the world.

1 All of us understand why regional
2 organization made sense when this first was
3 created. It was at a time when traveling
4 around the country was much more expensive and
5 difficult.

6 But that is no longer the case, and
7 I think the time has come to think seriously
8 about creating one or more maybe many sector-
9 specific national accreditation agencies for
10 institutions whose populations and impacts are
11 clearly not regional in nature.

12 The second question that I hope this
13 body will consider is whether these sector-
14 specific agencies could work with universities
15 and colleges, that competitively draw students
16 from around the world, to set threshold
17 standards that are significantly more
18 demanding.

19 I really want to underline that
20 phrase. We are not asking for a bye here.
21 What we're asking is to be held to a higher
22 standard. What would I include in that

1 standard? Well, I would include, for example,
2 high graduation rates, low loan default rates,
3 excellent placement and career outcomes,
4 demonstrated alumni satisfaction. That's
5 something that's left out completely of
6 accreditation, and yet surely customer
7 satisfaction is something that we should be
8 attentive to, as we judge the effectiveness of
9 our universities in serving the needs of our
10 students.

11 I would also include a high standard
12 of reaching out to students from diverse
13 backgrounds. There may be many other things
14 that one might want to build into these kinds
15 of threshold standards, but those are the ones
16 that strike me as the most important.

17 These could obviously vary by
18 sector. I'm not suggesting, in fact I'm
19 actually opposed to the idea that there is a
20 one-size-fit-all here. I think one of the
21 things that I take away from my trying to
22 understand this system is that one size fits

1 all is part of the problem with how we're
2 thinking about accreditation today.

3 So these standards could vary by
4 sector, but understanding that these
5 institutions that meet these higher standards,
6 will be judged to have met the principle
7 purpose of accreditation, the assurance to the
8 federal government.

9 Then if we separate that sort of
10 standard of accreditation from continuous
11 improvement standard, then we can use the
12 accreditation process in a way that is
13 optimally valuable to the institutions
14 themselves, which is to allow the colleges and
15 the universities to do a thorough self-
16 assessment, and then have a stringent peer
17 review that would help them improve the
18 quality of their institution, allowing those
19 institutions to define the aspects of
20 continuous improvement that they are
21 particularly focused in on at that time.

22 Now I realize that there are -- this

1 is very complicated, and I realize there are
2 lots of complexities in trying to think about
3 those two issues, and I don't mean to suggest
4 that they are not.

5 But I think if you were to suggest
6 that you were open to having discussions along
7 these lines, I think you would find an
8 extremely enthusiastic and willing academic
9 community, willing to engage with you in how
10 to set up these kinds of systems.

11 I also think that the two ideas are
12 not linked completely. They could be
13 separable. You could, for example, have
14 sector-specific thresholds, while retaining
15 the regional organization. I don't mean to
16 suggest at all that these have to go hand in
17 hand.

18 But I just want to conclude, by
19 strongly supporting the efforts that all of
20 you are taking. I think there is genuine
21 concern in the higher education community, and
22 I think there's a worry that we could actually

1 do irreparable damage if we proceed in a way
2 that imposes inappropriate or unnecessary
3 regulatory requirements on well-performing
4 institutions.

5 A least common denominator approach
6 to accreditation runs a real risk of
7 diminishing educational quality and
8 educational achievement, not enhancing it.
9 Thank you.

10 CHAIR STAPLES: Thank you very much.

11 I think we have one more panelist, but we
12 don't have him here yet. So we'll begin our
13 questions for these panelists. Who would like
14 to start? Arthur, and then Susan.

15 Issue Three Discussion

16 MEMBER ROTHKOPF: Yes. President
17 Tilghman, thanks very much for your testimony
18 and for your thoughtful letter, which came to
19 us back in January. You kind of bifurcate the
20 two pieces there, and the first group of
21 items, graduation rate, placement rate, alumni
22 satisfaction, do you think those requirements

1 could be imposed or should be imposed on
2 really all institutions, but that if you had a
3 sector-specific system, you might have
4 different cut scores, if you will, saying
5 well, at an institution like yours and others
6 like it, obviously your graduation rate and
7 alumni satisfaction rate are going to be
8 higher than they would be for other kinds of
9 institutions.

10 But that these are the kinds of
11 questions that ought to be asked of all
12 institutions, and by all accreditors?

13 MS. TILGHMAN: I do, and I took
14 them, in part, out of literally what the
15 Secretaries of Education have been saying are
16 their goals for higher education. So in that
17 sense, I think those are generic goals. But I
18 understand that applying them, with a one-
19 size-fits-all threshold standard across the
20 board will not work.

21 CHAIR STAPLES: Susan.

22 MEMBER NEAL: I've got two

1 questions. The first one has to do with the
2 regional, the value of regional accreditation.

3 Between the three of you in the course of
4 your discussions, you've made a case for and a
5 case against having the continuation of
6 regional accrediting bodies. How, what is
7 their benefit, and what is their -- what are
8 the drawbacks, from your point of view? Any
9 of you can play.

10 MS. EATON: I'll start, if I can get
11 this. Thank you, Susan. One, I think we've
12 spoken to a number of the benefits. Clearly
13 quality improvement, all right, is a
14 significant benefit. Clearly what we've been
15 able to develop in terms of effective
16 practices, with regard to quality issues, with
17 regard to assessment, over the years.

18 We haven't mentioned this, but
19 regional accreditation is a very, very
20 powerful signal to the public, with regard to
21 the legitimacy of an institution. I agree.
22 The public doesn't know a lot about

1 accreditation. We have tested this over and
2 over and over again at CHEA.

3 But the public does know that having
4 accreditation is better than not having
5 accreditation, and frankly especially
6 regional, especially regional accreditation.
7 My evidence there would be to talk to the
8 folks from, who attempted to put the Open
9 University of the United States in place, and
10 how the time that obtaining regional
11 accreditation took really got in their way.

12 Regional accreditation, both stands
13 on and reinforces some of the fundamental
14 values of higher education. Academic freedom,
15 the significance of peer review, the
16 importance of institutional autonomy, and
17 makes a significant contribution in that
18 regard.

19 Those are just several things that I
20 would put in the plus category. I know there
21 are others, all right. The concerns? We've
22 stated a number of those as well. As

1 institutions are increasingly national and
2 multi-national, why does regional make sense?

3 How do you deal with regional accreditation
4 in a distance learning environment? I mean we
5 talked about that with regard to states as
6 well.

7 Another area is whether or not
8 either government, turning to accreditation as
9 a reliable authority on academic quality, and
10 the public is satisfied with regional
11 accreditation, and we've talked about
12 threshold. We've talked about not knowing
13 enough about what accredited status means.

14 Another area of concern is the one
15 that President Tilghman brought up, which is
16 the direction, the ways in which regional
17 accreditation is operating with some of its
18 current emphases. It's, as some people see
19 it, approach to student learning outcomes,
20 cost factors.

21 I do think that at times, and I was
22 talking to President Tilghman about this

1 before we began, what regional accreditation
2 is doing is what the federal government has
3 told it to do. But the view is that regional
4 accreditation is doing it to me, not the
5 federal government is doing it to me. But
6 accreditors are muddled in a number of ways,
7 so you get some approaches that you may find
8 undesirable.

9 MS. TILGHMAN: You know, for me,
10 maybe I can speak in favor of the sectoring
11 approach, is that peer review requires peers.

12 It requires institutions that have comparable
13 missions, comparable approaches, comparables.

14 I think I wouldn't necessarily say size. I
15 think a small institution like Cal Tech, for
16 example, which is much smaller than others in
17 our peer group, clearly is a peer to us.

18 I think if there were such a sector
19 involving like universities, I think you would
20 find that they would push up the standards.
21 They wouldn't lower the standards. They would
22 actually enhance the standards, because they

1 would want to have institutions in their
2 accreditation agencies that could actually met
3 very, very high standards. It would be in the
4 interest of the accreditation agency to do
5 that.

6 You know, I think about Mercer
7 County Community College, which is my closest
8 higher ed neighbor, and it is a very fine
9 community college. It serves the student
10 population that it serves exceedingly well.
11 But I have nothing in common with Mercer
12 County Community College.

13 Our student body is different, our
14 faculty is different, our mission is
15 different, our curriculum is different. I
16 mean there is so little that we have to really
17 say to each other, other than we reside within
18 the same county in the state of New Jersey.

19 Whereas I have deep connections and
20 deep understanding of institutions that are
21 clearly not in the Middle States. As I've
22 tried to think about what would be the

1 downside of taking a sector approach, I think
2 the one downside would be potentially removing
3 from the regionals, institutions who are
4 probably pressing those regionals to increase
5 their standards.

6 So I think you could find it more
7 difficult, once you take out institutions that
8 are extremely ambitious about their continuous
9 improvement. You might find that it's harder
10 to sort of keep pushing those institutions to
11 get better, and in ways that serves the
12 country well.

13 But as I think about the -- as I
14 weigh those two, the pluses and the minuses, I
15 think allowing institutions that really are
16 true peers to one another, to conduct the peer
17 review. That includes not just the reviewers,
18 because of course those tend to be peers, but
19 also to have within their accreditation
20 agencies individuals who are really thinking
21 about what is in the best interest of that
22 sector. I think you would, at the end of the

1 day, have a stronger accreditation system.

2 MR. WOLFF: If I could, I'd like to
3 weigh in also. First, I want to say that, if
4 I may, defining what are appropriate sectors
5 is not going to be as easy as it sounds. You
6 might have the research institutions, and
7 there are those who want to be and those who
8 are. You have community colleges.

9 In between the segmentation is not
10 as clearly evident, and what would be
11 appropriate for segmentation, I think, is --
12 were we to go in this direction. I also want
13 to say secondly how this might occur, any
14 solution might occur.

15 We are products, and I serve as the
16 president of an agency, the institutions. So
17 in a sense, if institutions chose to
18 reconfigure us as agencies, that's different
19 from this being legislated. I really have a
20 concern about legislatively defining how the
21 higher education universe is to be defined and
22 segmented.

1 With respect to strengths and
2 weaknesses, let me suggest some, and those,
3 Larry has certainly been on the WASC Senior
4 College Commission, and those of you who have
5 been on commissions. I think there is a
6 really incredible value of the discourse
7 between and among different kinds of
8 institutions.

9 One of the biggest surprises, I can
10 say, that bringing commissioners onto the
11 commission is the extraordinary variation of
12 the diversity of institutions. So I would say
13 that it's not just, but I do believe that
14 there is important value of having our
15 premier, highly selective institutions to
16 raise questions about other institutions.

17 But the reverse is also true. What
18 is the public responsibility? How can
19 research universities add to our knowledge
20 about learning? So that two-way discourse is
21 extremely important.

22 Secondly, I've said before that the

1 regional configuration, as much as it's an
2 artifact of history, is itself responsive to
3 the cultural needs of different regions. I do
4 believe that SACS is different from New
5 England, that region, and so those needs. In
6 terms of areas of weakness, I do think we have
7 not done as effective a job, and I think
8 having President Tilghman's presence here
9 reflects, we've not done as good a job with
10 our premier institutions, and I think we need
11 to figure out a way.

12 But I would also say that, as one
13 who heads an organization, we are constantly
14 being or have expectations of applying all of
15 our standards to all of our institutions. I
16 need your help, whatever model we have, that
17 we do this, we do differentiation in an
18 appropriate way, and to the same extent that
19 you might say that we might say to some
20 institutions these parts are off the table and
21 we would keep these parts on.

22 I would argue the same thing should

1 be said about the recognition process, rather
2 than having to go through every element and
3 demonstrate we do that for every institution.

4 I'd also want to reframe what's good for the
5 institutions of higher ed, which is the way
6 accreditation has historically been framed.

7 What's good for the institutions
8 that created us, and what's best for the
9 public who we serve, what's best for the
10 students. Whether the regional model or a
11 segmented model, I would ask that the question
12 be framed toward the public, because the
13 graduates of every institution intermingle in
14 the marketplace.

15 So the standards of performance are
16 going to be the marketplace, not just where
17 you got your degree, or the kind of
18 institution. We have to keep that in mind as
19 well. I think the fact that we have standards
20 that cut across a wide variety of
21 institutions, and that there's an opportunity
22 for people from research universities to

1 review for-profit institutions, faith-based
2 institutions, is extremely important, and the
3 reverse is also true. Thank you.

4 CHAIR STAPLES: Thank you very much.

5 Just one moment. I want to recognize Under
6 Secretary of Education Martha Kanter, and
7 thank you very much for coming. We appreciate
8 you being here.

9 Just because our question time is
10 limited, I do want to have some others ask
11 more questions. I don't want to necessarily
12 have the panel just respond to that. So I
13 want to recognize Art Keiser.

14 MEMBER KEISER: Well, if we're time-
15 limited, I'll pass on my question.

16 CHAIR STAPLES: Well, we have a few
17 minutes. I just want to make sure we have
18 time for you and for others who have them. So
19 go right ahead.

20 MEMBER KEISER: Okay. Well, I just
21 want to comment that I agree with Ralph on
22 this particular comment. It's always

1 uncomfortable when you're at the wrong end of
2 a visit that may not have gone as well as you
3 would have hoped, or the team just didn't get
4 it. You know, different types of
5 institutions, unfortunately people bring in
6 their own biases and their own issues
7 sometimes into the accrediting process.

8 I know on the Commission that I
9 serve, we try really hard to train our team
10 members not to bring in their own biases, and
11 to evaluate the institution based upon the
12 standards, in a broadest possible sense. But
13 that in itself is what is valuable. I would
14 be very concerned if we created a tiered
15 system of where only the elite institutions
16 communicate with the other elite institutions.

17 There is great value, as a Southern
18 Association member, to be in where we are an
19 adult learning institution, that's not elite
20 but selective, with a Duke University, which
21 is highly selective and, you know, one of the
22 top institutions in the world.

1 I think we all benefit from that,
2 whether it be a community college or an elite
3 institution. I think we all have to do the
4 same, provide the same assurance to the
5 public, that the quality, the integrity, the
6 processes are similar, so there can be some
7 degree of communication among higher
8 education.

9 One of the dangers I see is that we
10 fragment that, and the students are left
11 caught between not being able to move from a
12 community college to an upper level
13 university. We need to be opening access and
14 creating the ability of students to move, so
15 that the standards are comparable among all
16 institutions.

17 MS. TILGHMAN: Could I respond to
18 that? I don't want to leave us with the
19 impression that there is no other way in which
20 regional colleges and universities communicate
21 with one another except through the
22 accreditation process. In fact, I would say

1 the accreditation process is one of the least
2 effective ways in which regional universities
3 communicate with one another.

4 I participate in regional
5 organizations of colleges and universities in
6 the state of New Jersey, that really talk
7 about exactly the kinds of common issues that,
8 I think, those of us who share a state and
9 share a governor often have in common. Those
10 are extremely valuable.

11 So I don't think the issue here is
12 that it cuts off communication among
13 educational institutions of very different
14 flavor. I think the point that I'm trying to
15 make is that peer review requires peers. It
16 requires people with the same backgrounds and
17 the same experiences in higher education
18 institutions.

19 In my view, where our experience,
20 most recent experience with Middle States fell
21 down was not when we were being reviewed by
22 our peers. But it happened when that peer

1 review report got into the hands of people who
2 simply don't understand our sector of higher
3 education.

4 CHAIR STAPLES: Anne is next, and
5 then you, Frank.

6 MEMBER NEAL: Thank you. I want to
7 first thank you, President Tilghman, for
8 generating quite a bit of testimony from
9 various institutions regarding the regulatory
10 burden.

11 I just wanted to note, since we've
12 been talking about that, that Michigan says
13 it's spending 1.3 million; smaller private two
14 million, Stanford over a million, Duke over a
15 million and a half.

16 Certainly, these are incredible
17 burdens, and I thank you for raising that to
18 our attention, and also the amount of
19 intrusion that you have often found, in terms
20 of institutional autonomy and institutional
21 decision-making.

22 I'd like to then pivot to the

1 question that you started with, in terms of
2 why are we here, and what is the purpose? You
3 stated, and I think I wholeheartedly support
4 this, assurance to the feds that dollars are
5 well-used.

6 I think a we've been looking at at
7 least the initial structure of the system,
8 financial responsibility and guarantors of
9 educational quality have been at least the
10 baseline framework.

11 You went on to suggest that perhaps
12 there should be some threshold standards.
13 Grad rates, low loan default rates, placement,
14 alumni satisfaction. Would those criteria --
15 and then the diversity. Would those criteria
16 in your mind essentially become a proxy for
17 educational quality?

18 MS. TILGHMAN: Yes.

19 MEMBER NEAL: And so it would be
20 possible, then for an institution to provide
21 that information on its own. You wouldn't
22 really need an accreditor. You could do that

1 on your own, and then presumably could use
2 accreditation as a voluntary system, if you
3 found it to be valuable. Is that fair to say?

4 MS. TILGHMAN: In fact, we keep
5 track of all of those data on a yearly basis.
6 They're available all the time.

7 MEMBER NEAL: So under your
8 formulation, we could essentially protect
9 financial responsibility through the existing
10 oversight of the Education Department.
11 Institutions could provide basic threshold
12 standards as a proxy for quality, and the
13 institutions could then use accreditors, if
14 they chose to do so, in the marketplace?

15 MS. TILGHMAN: And you know, one of
16 the things to say is that I don't know a
17 college or a university that is not
18 continuously engaged in peer-reviewed
19 assessment of how it is doing. It does it
20 through every imaginable process, from
21 advisory councils to board of governors.

22 I think we, as a community, have

1 always welcomed peer review and welcomed
2 learning from others. I think to allow a
3 university to use such a procedure in order to
4 focus on the things that the university is
5 working on to improve, will benefit the
6 university and ultimately, I think, benefit
7 the students.

8 Whereas as opposed to having where
9 you need to improve imposed upon you, whether
10 you think that's where your improvement needs
11 to be focused or not.

12 MEMBER NEAL: And do you think these
13 standards that you've set out as a proxy for
14 quality, that those are sufficient, that the
15 focus, if you will, on student learning
16 outcomes, as documented by a CLA or a MAPP or
17 a CAAP, that that is not a necessary piece to
18 ensure quality vis-à-vis the federal dollar?

19 MS. TILGHMAN: We have looked at
20 those external learning assessment tools and
21 have come to the conclusion that they do not
22 reflect what we are trying to accomplish

1 educationally at Princeton.

2 CHAIR STAPLES: Would it be possible
3 to --

4 MR. WOLFF: Could I add a comment?

5 CHAIR STAPLES: Sure.

6 MR. WOLFF: There are far many other
7 threshold issues that we look at, and first of
8 all, I would say that Richard Vetter, who is a
9 member of the Spellings Commission, wrote a
10 report called the "The Inmates Running the
11 Asylum," and looked at an open market,
12 rejected it, said that really wouldn't work.

13 Looked at a federal process,
14 rejected that, and looked a national system
15 and rejected that and said the system we have
16 is probably the best one, but it needed some
17 improvement, greater transparency, clarity of
18 standards.

19 While I'm not wild about some of the
20 evidence in the report, but the conclusions my
21 commission reviewed and supported. But I
22 would say we have an institution. There's a

1 wide range of institutions, some of which do
2 not have the quality assurance systems. We
3 have institutions that are online that had
4 differentiated and unbundled faculty models,
5 no core full-time faculty.

6 So these data alone don't ensure.
7 We look at audits, we look at financial
8 budgeting and a whole range of issues. So I
9 just wouldn't want to say that quality is
10 merely a function of graduation rates and
11 student satisfaction.

12 CHAIR STAPLES: Yes. You just have
13 a brief comment.

14 MS. EATON: Yes, briefly. I think
15 it's important to distinguish benefits or
16 problems that derive from the structure of
17 regional accreditation, versus benefits or
18 concerns that may exist otherwise. Structure
19 alone is not going to address all the issues
20 that we might want to address, and I'm going
21 back, Susan, to your question and reflecting
22 on that.

1 What are the benefits and the lack
2 of benefits with regard to, as people perceive
3 them, the structure of regional accreditation,
4 and what is tied to other factors and the same
5 question applied if we were to move in a
6 sector mode.

7 CHAIR STAPLES: Thank you very much.
8 Frank, followed by Larry and then Earl.

9 MEMBER WU: Just a quick observation
10 on the issue of costs. I am very sensitive to
11 the high cost of these processes. I would
12 note that the elite schools, though, are the
13 ones best able to bear the costs, right.

14 So to the extent that it may cost a
15 million or two million or five dozen staff to
16 go through the process, it's even more onerous
17 on a decent public school, that we wouldn't
18 doubt is going to be in business for a long,
19 long time, but that isn't as well-endowed as a
20 Princeton or other Ivys or its peers.

21 I wanted to ask the following. I'm
22 hearing, I think, three different sets of

1 general concerns, and I wanted to get a sense
2 if I'm capturing all of this. So one set of
3 concerns is some of the accrediting agency
4 standards may just not be good standards.
5 That is, they're not really measuring
6 something that we, society, need measured, the
7 number of books in the library, for example.

8 Maybe we just don't really care
9 about that. That doesn't correlate to
10 anything that has to do with whether the
11 institution should receive federal funds, or
12 whether it's a quality school. So that's
13 number one. Some standards may just be bad
14 standards, right?

15 Number two, though, is some
16 standards are good standards, but it's not
17 one-size-fits-all. So it's not that they're
18 intrinsically silly for any school. It's that
19 they're not tailored to this particular market
20 segment. So they may be good for other
21 schools, public, smaller schools, etcetera.

22 But the third concern that's being

1 raised is that for some of this, even if the
2 standards are good, it's just way too
3 expensive to go through the process. That is,
4 even if it does make sense to measure X, the
5 data production required to measure X is
6 frequently, the way it has to be proven
7 doesn't make sense.

8 So I'm trying to capture all that.
9 But I do have, in addition to the question of
10 have I captured it right, a final question on
11 the data cost. It is, are these single-time
12 costs, once it's been done? Let's say the
13 standards didn't change over time. They do.
14 But let's say they didn't.

15 Would the costs then be sufficiently
16 reduced so the second go-round, third go-
17 round, given the scale, given the fact that
18 you've been through it once, would that
19 alleviate some of it, or is it not likely to
20 take care of the problem?

21 MS. TILGHMAN: I think right now
22 that would not take care of the problem. I

1 think every ten years you start from scratch,
2 and increasingly, because the five-year review
3 has become more onerous, it's actually every
4 five years you're facing these kinds of costs,
5 and I am deeply sympathetic to your first
6 issue, which is that the cost of this to a
7 struggling institution is very significant.

8 MEMBER WU: Or even to a good
9 institution, not a struggling one, but not an
10 elite one, not a rich one.

11 MS. TILGHMAN: And having just spent
12 two years taking \$170 million out of my
13 operating budget, a million dollars is a big
14 deal to me too, yes.

15 MEMBER WU: One last thing on the
16 data, just so I understand. This is data that
17 you would not otherwise collect for your own
18 purposes. You might collect it, but not
19 configure it that way. So it has to be
20 repackaged somehow. So even if you have it,
21 it's not in the right format.

22 MS. TILGHMAN: That's correct. I

1 think it's a combination of both. Some of it
2 are things that we would not, on our own,
3 collect, and some of it are data that we do
4 collect and you know, it takes 20 seconds to
5 provide, and some of it has to be
6 reconfigured. So I think it's the entirety of
7 it.

8 CHAIR STAPLES: With the Committee's
9 permission, I think we'll ask Mr. Carey to
10 speak, and then we'll start with the questions
11 from Larry and those who have been previously
12 recognized. No, you're late. We were early.

13 (Off mic comment.)

14 CHAIR STAPLES: Welcome, and we look
15 forward to your comments.

16 MR. CAREY: Thank you. Thanks first
17 on another opportunity to address the
18 Committee. I certainly enjoyed the dialogue
19 last time we were here, and had a chance to
20 look through the agenda and the proposal that
21 you put together, and I think it seems like
22 you are focused on the right set of issues.

1 So I'll be brief, because I don't
2 want to interrupt what I'm sure was a good
3 conversation that you guys were having before
4 I came in, and just offer a couple of
5 observations that I think are relevant to the,
6 to this panel's discussion.

7 The whole subject of regional
8 accreditation and what it means seems very
9 important to me, and I think, just an
10 observation I would make, is that regional
11 accreditation, the word "region" has its
12 greatest meaning as a sign of quality. I was
13 talking to a community college president the
14 other day about credit transfer, and she said
15 -- "Well, what are your credit transfer
16 policies like?"

17 She said "Well, you know, if it's
18 from a regionally accredited school, then our
19 assumption is that it's good. Otherwise,
20 naah. Those other places, we think they're
21 not good. We wouldn't take their credits."

22 I think that it's fine to have

1 gradations of quality in accreditation, but
2 it's sort of odd that that's how we've gotten
3 here, that as opposed to having stated
4 gradations of quality, where there is like
5 minimal accreditation and then good
6 accreditation and then good enough for
7 transfer accreditation, that good enough is a
8 function of who's doing the accrediting and
9 not some actual stated set of standards that
10 differ from one another.

11 It's not how -- we didn't decide to
12 get here. We're just sort of here now. And
13 given the fact that 60 percent of all students
14 who get Bachelor's degrees will earn credits
15 from more than one institution, I imagine that
16 number will only grow over time, as the number
17 of educational options that are available to
18 students increases.

19 We ought to perhaps have a little
20 more rationality and purpose in the way that
21 we decide how to essentially give varying
22 marks of quality to credits of different kind.

1 It doesn't make a lot of sense to me that you
2 have one, that really the most important
3 variant of quality and accreditation, being
4 regional or non-regional and that's not the
5 way we decided to do it, and that we would
6 have sort of six different regional
7 institutions that would all have their own,
8 start in a different place.

9 I know part of the discussion has
10 been well, you know, again, is this sort of an
11 archaic architecture, an architecture of the
12 time when regionality and accreditation was
13 unavoidable, because accreditation meant
14 travel and we didn't have an interstate
15 highway system.

16 It makes sense to me that we perhaps
17 ought to have more of a single national set of
18 guidelines that would be implemented on a
19 regional basis, as opposed to essentially sort
20 of six different ways of doing things.

21 Now I say that, recognizing that
22 there are costs and benefits of some kind of

1 consolidation or nationalization. I mean, I
2 think, for example, that I'm a big fan of what
3 WASC has been doing over the last year. I
4 think Ralph and his team should be commended
5 for the sort of steps forward they've taken in
6 really pushing accreditation to ask more and
7 better questions.

8 That's the benefit, perhaps, of
9 having multiple actors. You can have
10 differentiation in what they do. But I think
11 that could perhaps still be accomplished with
12 some kind of more uniform regime that
13 recognizes that we live in a very different
14 world now, and particularly when we live in a
15 world where colleges are no longer place-
16 bound.

17 If, in fact, regional is the thing
18 that matters most, and if a college can serve
19 students anywhere as they can, then it doesn't
20 make sense to sort of be able to take six
21 different bites at the apple and only need to
22 succeed in one of them. So you know, I think

1 that's something we should consider.

2 The second thing I would talk about
3 is transparency, public transparency. We've
4 sort of made this bargain that the government,
5 the federal government, with higher education,
6 where the federal government decided a long
7 time ago look, we're not really going to be in
8 the business of asking serious questions about
9 quality. We're going to leave that to you, in
10 the form of your voluntary accreditation
11 system.

12 You know, the argument for that is
13 very powerful. I want to recognize that.
14 Colleges and universities are very complex
15 organizations. It makes sense that you need
16 expertise and experience in order to be able
17 to do a good job of evaluating them, and peer
18 effects are very strong.

19 If you look at sort of the research
20 in psychology, what people organize their
21 lives around, other people who are like them
22 and these sort of non-regulatory, almost

1 social pressures.

2 Look at professional peer groups,
3 for example, look at people in academia. The
4 thing that a college professor cares most
5 about generally is not what the other people
6 on her campus think, but what other
7 professionals in her peer group around the
8 country think.

9 But the downside to that, there are
10 two. One is they actually have to be peers,
11 and I think as higher education has become
12 more and more diverse, and we have different
13 business models, we have a combination of
14 public/private, non-profit and increasingly
15 for-profit, I think the social nature of the
16 peer part of it breaks down.

17 Second of all, there's this ongoing
18 argument that peer review can only happen
19 essentially behind closed doors, or else it
20 will be, all the good part of it will
21 disappear, because if we try to disclose what
22 happened or if we make public the findings of

1 peer review, then it won't work anymore.

2 I think allowing peer review to be
3 the foundation of quality control is already a
4 pretty big leap of faith on the part of the
5 public, and I think more transparency would be
6 a reasonable additional part of that.

7 That's also connected to the fact
8 that we sort of struggle with the multiple
9 levels of accreditation quality, where again,
10 it's basically just regional is better and
11 then everything else. There's regional is not
12 as good. You lose so much information from a
13 public standpoint if that's all the public can
14 see.

15 So I mean, if you take an
16 organization like Princeton, for example. I
17 mean Princeton is more likely to win the BCS
18 football championship than lose accreditation,
19 frankly, and that's appropriately so, in both
20 cases.

21 (Laughter.)

22 MR. CAREY: But what it means is

1 that for all intents and purposes, the
2 interaction between the accreditation quality
3 control process and very selective, very
4 wealthy universities is meaningless, from a
5 public standpoint. I don't know the extent to
6 which Princeton or its peers chooses to make
7 the results of its accreditation review
8 public. I imagine they're very positive, so
9 perhaps it does.

10 But when you have a system where
11 it's up to the institution to decide whether
12 elements of the accreditation review are
13 public or not, you almost guarantee the most
14 interesting things, that there will be an
15 inverse relationship between the information
16 being interesting and the information being
17 public.

18 So you know, I think a combination
19 of recognizing the growing need for more
20 consistent national standards in
21 accreditation, recognizing that we need
22 multiple levels of quality, where good enough

1 for a Title IV is one thing, but good enough
2 for most students is a higher thing, and great
3 is something that goes even above that.

4 I think peer review and
5 accreditation can speak to all of those
6 things. Recognizing that differences in the
7 underlying business model of institutions
8 ought to be strongly reflected in how we
9 choose to regulate and review them, and really
10 having much more of an ethic of public
11 transparency.

12 Because otherwise, that which is not
13 transparent doesn't matter in the marketplace
14 and for students, and I think accreditation is
15 too important not to matter. Thank you.

16 CHAIR STAPLES: Thank you very much.
17 That was very thought-provoking and helpful.
18 We were in the middle of some questions, and
19 I'm sure that you'll get some directed to you.
20 Larry, you're up next.

21 MEMBER VANDERHOEF: Just two quick
22 comments and then a question. First of all, I

1 hesitate to do this, because Arthur's not
2 here, but I really disagree with the notion
3 that somehow changing the way we group
4 universities is going to affect the
5 interaction locally. I think we would all, if
6 we haven't had the opportunity, we'd be
7 happy, happily surprised at how much
8 interaction does go on between institutions
9 locally.

10 If you ask them if this had anything
11 at all to do with accreditation and whether
12 that was what was pushing them, they'd say
13 what? I mean they wouldn't understand that at
14 all, because they do it for other reasons. In
15 part, there are altruistic reasons; in part,
16 they're pragmatic reasons. It happens and it
17 will continue to happen, that kind of local
18 activity.

19 A second quick point. I worry that
20 when we talk about the dollars expended, that
21 we're putting the wrong spin on that. In
22 fact, in at least a couple of the letters, the

1 wrong spin was put on it. It's not that
2 institutions are hesitant to spend that kind
3 of money on improving the quality of what they
4 do.

5 That's not it at all. It's that
6 they fret a lot about that money being wasted
7 in that same regard. They're not able to put
8 that money where they really think it should
9 go, to improve the quality of the university.

10 If you'd just use that as the
11 category and you add up how much money is
12 spent, it's much more than the million or the
13 million and a half, that is, money that's
14 spent toward improving the quality of the
15 institution. Yet that number comes up over
16 and over again as just it, by itself, being
17 the burden.

18 My question as to do -- I mean I
19 really personally approve and like the idea of
20 having our organizations of institution
21 different than they are right now, and the
22 whole idea of region. First of all, we don't

1 do very well at -- I mean look at our regions.

2 They're kind of goofy and looney as well, in
3 many cases.

4 But the fact is that we will be
5 better off if we divide up the pie in a
6 different way. When I start to think about
7 how to do this, I run into at least mushy
8 ground very quickly, and I wonder if any of
9 you have notions about what the bright lines
10 are. I mean where do you stop? I think I
11 know, Shirley, what you're talking about, and
12 I know Ralph and I have talked about this a
13 lot.

14 I know what the intention might be,
15 but I don't know how you draw the lines around
16 what you're going to do. You certainly have
17 already said you don't stop, Shirley, at the
18 Ivy League, for example.

19 You don't stop there. There are
20 others. And even the AAU gets in on it. You
21 know, they say okay, well let's do the -- well
22 that, even that's problematic. So how, what

1 do you do?

2 MS. TILGHMAN: You know, I don't
3 also have a clear answer, Larry, to that
4 question. But one idea that we've played
5 around with would be the idea for, you know,
6 it has to start with a small organizing group,
7 who then define what their threshold standards
8 are going to be.

9 Then anyone who is willing to be
10 judged by those threshold standards would be
11 eligible to join your sector group. I mean
12 that, I can think of reasons why that might
13 work. I can think of reasons why it might,
14 you know, not work.

15 But I think it's going to be
16 difficult, because I agree with you. You
17 know, community colleges seems clear; maybe
18 it's not. Maybe that's even a complicated
19 group, you know.

20 Research-intensive universities,
21 small liberal arts colleges. But I know
22 there's this huge, huge, you know, very

1 important group who wouldn't neatly fit into
2 any of those categories. I think this is -- I
3 think in the letter, I said the devils are
4 going to be in the detail, and this is one of
5 the big details we'd have to sort out.

6 CHAIR STAPLES: Judith?

7 MS. EATON: A way, Larry, maybe to
8 get at that is again, why do we have to start
9 with structure, which is almost invariably
10 where we start when we think we have a problem
11 in higher education, if the regional
12 accreditors accredit overwhelmingly not-for-
13 profit degree-granting institutions. There
14 are a few exceptions to that, a handful.

15 What if degree-granting non-profit
16 institutions were free to go to any of these
17 accreditors? Then what might happen over time
18 is you're going to see certain types of
19 institutions going to certain types of
20 accreditors. That, in turn, will have an
21 impact on standards and expectations. I don't
22 know that that addresses the cost issue.

1 You can achieve this organically, is
2 what I'm trying to say, as contrasted with
3 creating and imposing an alternative
4 structure. Just something to consider.

5 CHAIR STAPLES: Larry, any more
6 questions?

7 MEMBER VANDERHOEF: No thank you.

8 CHAIR STAPLES: Earl.

9 MEMBER LEWIS: There seemed to be
10 one summary statement that actually most of
11 you, if not all of you, agreed to, and I noted
12 in my notes, and I'm paraphrasing it. But
13 essentially that the standards should be
14 situated within the institutions, that in some
15 ways, that all of the institutions have an
16 understanding about quality enhancement and
17 improvement do so on an annual basis, do it
18 over a period of time, etcetera.

19 One of the challenges sitting on
20 this side of the table is trying to also deal
21 with the fact that if you look at the larger
22 complex of institutions that are in the sort

1 of postsecondary education market, that come
2 under the purview both of the Department and
3 federal regulations, and you ask the question.

4 Okay, I can agree with the first
5 part. I mean in my day job, I certainly
6 believe that day in and day out. But the
7 other part of the question then what are the
8 baselines?

9 Because there's a part where as you
10 look, whether you're talking about structures
11 or not and all, there should be some baseline
12 that we all can agree on, that should be
13 included in a set of standards that apply to
14 the tier, in plural, of institutions.

15 That's sort of getting there with
16 some of the things with WASC, but I'd love for
17 your sort of reflection and thoughts on how do
18 we think about the baselines.

19 MR. WOLFF: Not an easy task, but as
20 agencies that periodically review what are
21 standards, one could submit that the standards
22 do attempt to get at that, that each of the

1 accrediting agencies, regional and
2 specialized, have.

3 I'd like to suggest -- and we divide
4 the world into capacity standards and
5 educational effectiveness. I'd like to
6 challenge and frame. It's partly cost, it's
7 partly in response to your question. The
8 current law or the regulations require that
9 every institution undertake a comprehensive
10 self-study periodically, and be reviewed.

11 It is an old model, that if I take
12 what people are saying here and have been
13 saying in the hearings, if it is a data-
14 centric model, then the idea of a
15 comprehensive, labor-intensive, across the
16 institution engagement is not necessarily the
17 most useful model for all institutions.

18 It may probably, it would not be
19 effective for Princeton to engage their
20 faculty, and I think this is what Larry's
21 talking about, the opportunity cost. So what
22 I'd say is that first of all, we have to say

1 what are some of the data indicators that we
2 could look at that would be offline, that
3 could be used?

4 Much of it is publicly available.
5 Every major institutions issues an annual
6 report, has an audit, report on IPEDS, on
7 faculty and other kinds of things that could
8 be drawn, that do not require the institution
9 to have to engage in additional work to
10 generate.

11 Then the question becomes where is
12 value added in the process. I would submit
13 even in those regards, a comprehensive self-
14 study may not be the best way of getting at
15 those issues. I do think that the challenge
16 that we have is, which I tried to talk about
17 earlier, around for some institutions,
18 completion is an issue and for others, it is
19 not.

20 How do we take some off the table?
21 What is good learning, and how do we evaluate
22 it is another conversation to be had, and we

1 have to be able to have a -- I don't know if I
2 would call it a multi-tiered approach. I
3 don't think that's the right way to approach
4 it.

5 I think we need a nuanced approach,
6 a sophisticated approach of what kind of
7 learning objectives are most appropriate to a
8 Princeton or an Amherst, that might be
9 different from a comprehensive public
10 institution, where someone is there to get a
11 teaching credential.

12 CHAIR STAPLES: Earl.

13 MS. EATON: I remember one time that
14 a member of our board of directors pounded the
15 table and said let's get rid of the ten
16 percent of the worst accredited institutions
17 in the country, and that will improve
18 accreditation, right? And people looked at
19 him and said how are you going to identify
20 them, all right?

21 I think that's the issue that you're
22 raising. The suggestion that is being floated

1 here, I think, in different ways and at
2 different times is if we had a set of
3 indicators or proxies, such as those that
4 Shirley mentioned, but I don't think for this
5 specific purpose, but that Anna's been
6 mentioning, has mentioned two or three times,
7 those proxies could be used as the baseline
8 with regard to every institution.

9 Of course, the enormous challenge
10 there would be to identify what those ought to
11 be, and they wouldn't be all tied to
12 institutional academic performance. Some of
13 them would be fiscal in nature, and would we
14 be willing to go there?

15 The attempt, I think, Ralph may
16 disagree with me, to take the essentially
17 standard -- essentially the standards of
18 formative evaluation, which is what especially
19 regional accreditation standards are, and to
20 twist those into standards for a summative up
21 or down judgment, is a way, I think we should
22 not do.

1 How do we complement what is going
2 on with accreditation, yet get at, Earl, what
3 you're describing in there, a couple of
4 examples on the table, and I'm dodging the
5 issue that Anne has raised several times about
6 therefore, do we need gatekeeping. But within
7 that, we might find some answers.

8 CHAIR STAPLES: Thank you. Jamie,
9 and then followed by Susan.

10 MS. TILGHMAN: Could I just -- a
11 quick addendum, a quick and obvious addendum
12 to Earl's question, which is again, thinking
13 about what is serving the public good here,
14 there is no question that our accreditation
15 agency should be primarily focused on those
16 institutions who are not serving the public
17 good.

18 I worry that what has happened is
19 in, that over time, we are getting to a place
20 where we are not -- that is not where our
21 accreditation agencies are really focused,
22 which is how to ensure that there aren't

1 institutions out there that are using, taking
2 advantage of students and federal aid dollars,
3 and accomplishing virtually no education at
4 all, and getting the focus there, seems to me,
5 a very high priority.

6 CHAIR STAPLES: Jamie.

7 MEMBER STUDLEY: All of you have
8 raised a lot of interesting issues. I have a
9 couple of different dimensions of this. One
10 is I think we all want to be sure that we
11 neither privilege nor profile, thinking of
12 profile as a negative and privilege as the
13 opposite.

14 If we're setting baseline standards
15 so that, and we have talked here, for those of
16 you who weren't able to be with us, we have
17 talked about the possibility of separating the
18 baseline from the continuous improvement
19 process.

20 What do you need for Title IV
21 eligibility, versus what do people elect to
22 do, as peers, for their own improvement, for

1 status, for scholarship eligibility and
2 professional standards for other reasons, and
3 with whom.

4 I'm very loathe to spend what I
5 would imagine we will find is our limited
6 ability to recommend things that are
7 politically challenging, expensive, burdensome
8 in any way. So I think Judith's point about
9 not tackling structure, if the issue is not
10 truly structure, and much of the structure
11 doesn't come from us.

12 It comes from historic development
13 of a particular system. So your institution
14 could voluntarily join with others to create a
15 new way of meeting both your peer review
16 interests and your collaborative interests,
17 and to meet Title IV eligibility criteria.

18 The way I'd ask a question that
19 might be useful for us is whether not that we
20 should compel the regionals to all join up, or
21 to eliminate somebody so that somebody else
22 can do it, but are there incentives we could

1 create for encouraging best practices, or
2 barriers that we by statute or regulation have
3 created, that stand in the way of alternative
4 approaches?

5 That said, I just want to mention.
6 I'm sorry Art Keiser's not here anymore,
7 because I would like to agree with him. As a
8 college president of a selective liberal arts
9 college, I learned more about assessment,
10 continuous improvement and understanding how
11 to tell what learning was going on in my
12 institution, from LaGuardia College and Miami-
13 Dade, from Alverno and Evergreen State and
14 Portland State, than I did from my college
15 type peers, where we attempted to be a leader
16 among our peers.

17 That doesn't mean that for every
18 purpose it made sense for me to work with them
19 in every way. But I know that the state-based
20 activities that I was doing with a variety of,
21 a cross-cutting variety of institutions in the
22 state, were designed for very different

1 purposes, from cooperation to public relations
2 to state lobbying for private school funding,
3 and were not around the issues of
4 understanding what it meant to know what
5 people had learned, what capacities they had
6 developed in the time that they were with us
7 and with my faculty.

8 But you see, I'd be interested in
9 what each of you have to say about those
10 incentive barrier kinds of questions, because
11 do no harm isn't always applicable. But one
12 of the things it means is get out of the way
13 of the positive improvements, or encourage,
14 you know, don't be a barrier in their way, or
15 help make it possible for them to move
16 forward.

17 So it may be Judith, Ralph and
18 President Tilghman and all of you might want
19 to speak.

20 CHAIR STAPLES: Anybody like to
21 respond?

22 MS. EATON: Several things, Jamie.

1 One, Ralph made the point at least twice
2 today, and it's come up before, that
3 institutions are required to go through the
4 same comprehensive review over and over again,
5 even if it is ten years and it really isn't
6 ten years, I think, about anywhere anymore.

7 That's contrary to the way most
8 countries carry out quality assurance,
9 although they're shifting more to the way we
10 behave, to the periodic review. But what if
11 there were a way, and I don't know what it is,
12 to be satisfied about the basics of an
13 institution, such that we did not need the
14 periodic, comprehensive review on the regular
15 cycle, all right, is one way, is one thing we
16 could look at, and encouraging some or
17 piloting that in some ways.

18 Another area where I think we need
19 some incentives, a number of have sat around
20 here and said we don't think the accreditation
21 standards are high enough. Well, how do we
22 define that? If we should be concentrating on

1 the institutions with the greatest problems,
2 how do we identify them and how do we focus on
3 them, all right, for the future?

4 We need an incentive to create some
5 mechanism for that, and then third, if we want
6 to explore this issue of differentiation
7 within or outside of regional accreditation,
8 and perhaps based on sector, we need some
9 incentives and some ways to look at that as
10 well. All of these things, or at least two of
11 them have been mentioned as ways to strengthen
12 accreditation to serve the public interest.

13 CHAIR STAPLES: Ralph.

14 MR. WOLFF: Well, I've commented on
15 it before and I will say it again. I think
16 that I am very constrained by your process. I
17 just want to say it. We have to have a visit,
18 we have to have a self-study. I mean this is
19 really challenging, but do Stanford and Cal
20 Tech need a visit?

21 MEMBER STUDLEY: I'll tell you one
22 thing. I don't want to decide, just because I

1 know their names, that they don't need a
2 visit. But your point is well-taken. What is
3 coming from our statutes, our regulations and
4 our process that keeps you from doing
5 something that seems smarter, and would still
6 satisfy the bottom line requirements that we
7 all, I think we all agree on.

8 MR. WOLFF: And so I would say that
9 it's to look at could we create some zone of
10 permissive or innovation and explore it and
11 assess it and determine alternative
12 approaches? I worry about the profiling
13 effect of segmentation. Every solution has
14 its own set of problems, and the term
15 profiling is one I might not have come up
16 with.

17 But I would say that there are many
18 institutions that would feel that whatever
19 accreditation they have is less than or
20 secondary and not an impact. I think the real
21 question is what are the standards of
22 performance around key areas, and this is

1 where I would agree with Kevin.

2 It's not just that regional
3 accreditation may be better or gold standard
4 in other venues, but what are the standards of
5 performance that we apply? The ability --
6 then so I would say a number of our regions
7 are looking at separating out compliance and
8 improvement, and even our compliance models,
9 like the Sachs off site review, are all
10 standards, and very voluminous processes.

11 So I would welcome working with
12 people in the Academy and with the Department,
13 about alternative approaches that puts the
14 emphasis on the right syllables for different
15 kinds of institutions. That's where we need
16 help, and we need regulatory adaptiveness to
17 permit that to happen, but that assured you
18 that our criteria were adequate.

19 I think there is enormous value to
20 expanding the conversation about what are the
21 metrics. I'm not convinced that it's just
22 graduation rates, given their complexity, or

1 just default rates. There are a lot of issues
2 of capacity. We are seeing a fundamental
3 shift in the faculty role, even at
4 residential-type institutions or brick and
5 mortar-type institutions.

6 We need conversations about how do
7 we look at quality in that context. How do we
8 conduct evaluation processes for online
9 learning, when our frame is visit-based? So
10 what I'm saying is that whatever the
11 structure, the kinds of questions that need to
12 be what will assure quality at the end of the
13 process, and how do we become more
14 transparent?

15 I think we need to have
16 conversations, and have some give and take
17 with you all on an experimental basis. I
18 would submit that what we're doing, what the
19 Higher Learning Commission is doing, what the
20 New Pathways project, are very interesting
21 models, that we ought to collaborate on.

22 But our goal should be high

1 accountability, but also appropriate
2 allocation of cost.

3 CHAIR STAPLES: Susan, and then
4 we're running out of time. I don't want to
5 cut people short, but I want to make sure we
6 get --

7 (Off mic comment.)

8 MS. TILGHMAN: All right. The only
9 thing that I would add is that I completely
10 agree with you, that nobody should get a pass,
11 and it should certainly not be based on
12 reputation.

13 But I do think we can develop, as
14 Ralph said, a series of metrics, that we are
15 persuaded would give confidence to the
16 accreditation agency and then the federal
17 government, that this is an institution that
18 is financially, you know, solid, and is
19 serving the best interest of its students, and
20 sending them off into productive careers.

21 I don't think that is going to
22 require voluminous amounts of data. I think

1 there are -- whether I've got the right set, I
2 wouldn't presume to say. But I think there is
3 a finite, reasonable set of information that
4 were it in the hands of the accreditors, they
5 could with confidence turn to the Department
6 of Education and say we are confident this is
7 an institution that is serving its students
8 well.

9 And then, the great benefit of being
10 able to do that, is then the accreditation
11 agencies are really going to focus on the
12 institutions that we're worried about, that
13 are not fulfilling those needs.

14 MEMBER STUDLEY: I would just add
15 or, if it turns out that they -- once they can
16 identify who those are, that maybe that's not
17 a role for accreditation, because peers may
18 not be good at saying you flunked. So there
19 are different recombinations.

20 MS. TILGHMAN: Absolutely. I agree
21 with that.

22 CHAIR STAPLES: Susan

1 MS. PHILLIPS: Many of the comments
2 that I was going to inquire about have already
3 been echoed around the table. So I want to
4 come back to something that Ralph, you had
5 mentioned, and I ask this in the context of
6 what President Tilghman had mentioned.

7 You included in your discussion
8 about what WASC is doing, a couple of notions
9 that are, I'll call them relatively new to the
10 accreditor role. One was sending in SWAT
11 teams, and another was creating learning
12 communities.

13 In those, what I heard was an active
14 agent of quality improvement, as defined by
15 the accreditor, as opposed to the accreditor
16 being merely an evaluator, rather than now.
17 The accreditor as active agent. So I was
18 intrigued by that, as a role for an
19 accreditor, and then put it into the context
20 of Princeton's experience with their
21 accreditor, and wondered if the two of you or
22 others might sort of address that role of an

1 accreditor in shaping the educational quality
2 of the institution, as opposed to being the
3 mechanism by which it shapes itself.

4 MR. WOLFF: I might begin to say
5 that it's not so much a new role, but it's an
6 expansion of a role. One of my sound bites is
7 you can't regulate yourself into the future.

8 Regulatory action is retrospective.

9 Enormous changes are occurring in higher
10 education before our eyes, and the students,
11 the modal student today is not the historic,
12 traditional student.

13 Peter talked about it, new delivery
14 models. Students are taking distance ed on
15 campus. I mean there are all kinds of things
16 that are happening. The kinds of questions,
17 once you get beyond threshold levels, we
18 believe, my commission believes, are the kinds
19 of questions that require less regulation but
20 more innovation, more responsiveness.

21 That's where the learning community
22 is. How can we learn from one another that

1 are best practices? Our experience has been
2 that even our best institutions, one some of
3 these issues, can learn from one another. But
4 also what is good learning is one that we all
5 need to be in a conversation about, so that
6 it's not reduced to a single metric, or to a
7 very narrow workplace competency, when we're
8 also trying to prepare students for a lifetime
9 of career change and a meaningful life.

10 These are conversations, not
11 regulations. So first of all, with respect
12 to, let's just take a very concrete issue,
13 graduation rates. There is some very high
14 quality research on cost effective ways to
15 improve completion. But it has not filtered
16 its way into many institutions.

17 So we believe that if we are going
18 to make it a key element in our review
19 process, then we need to assist institutions
20 in how to improve those graduation rates.
21 It's not simply either you meet that rate or
22 we're terminating your accreditation. But it

1 is how, for a particular subgroup, would that
2 work. The same is true with particular --
3 what is good writing? What is critical
4 thinking?

5 That is -- we would like to engage
6 faculty in those kinds of conversations, but
7 do it in a way that allows it to be centered
8 within an institutional context. I will say
9 that years ago, it would have been true to say
10 that many of our best institutions were
11 opposed to learning outcomes assessment or
12 challenged it.

13 But now, we're finding some
14 enormously, I think, excellent work being done
15 at some of our best institutions. How do we
16 bring that into the whole community? So we're
17 trying to explore ways that that could be
18 done, in a convening role, in a learning
19 together role, so that when we do conduct our
20 evaluations, that actually we're able to talk
21 about standards of performance, and something
22 deeper, at a deeper level about learning, than

1 how did you perform on a CLA or a very
2 simplistic reductionist view.

3 MR. CAREY: Yes. I agree with much
4 of what Ralph said. It seems like the
5 conversation has done a good job of making a
6 distinction between minimum standards and
7 aspirations, between regulation and peer-
8 driven continuing improvement.

9 The minimum standards/regulatory
10 part of this conversation, a lot of it is
11 about money. It exists to protect the
12 taxpayers' money. It exists to protect the
13 students' money.

14 A lot of the judgments that we make
15 about institutions are financially based.
16 Will they be open next year? Can they pay
17 their faculty? Do they have enough resources
18 to provide a minimum level of quality?

19 One way to kind of get at that is
20 right now, the organizations that are making
21 these financial judgments don't have the
22 financial stake in the decision. If it's the

1 government that's making the judgment, then
2 it's the government's money. So I think this
3 was brought up at a previous meeting.

4 One could imagine holding
5 accreditors financially responsible for the
6 financial bad consequences of their
7 accrediting decisions, because you know,
8 they're members of your organizations, right.

9 So if you're a member of Middle
10 States, for example, and Middle States makes a
11 bad choice and gives accreditation to somebody
12 who it shouldn't, and the taxpayers lose and
13 the students lose, you don't lose.

14 So from an incentive standpoint, I
15 think if the accreditors had a financial stake
16 in their accrediting decisions, perhaps they
17 would kind of come at that from a different
18 standpoint. They would have reasons to build
19 resources and expertise, which you need in
20 order to make these decisions.

21 On the other hand, if we're talking
22 about aspiration, if we're talking about

1 excellence in student learning, if we're
2 talking about continuous improvement, then
3 we're beyond regulation. Ralph is exactly
4 right. You can't have a compliance mentality.

5 No one became excellent or improved or met
6 the future or what have you because the
7 government wrote a law telling them to do it.

8 Those kinds of things only matter if
9 the people involved believe they matter, and
10 both implicitly and explicitly endorsed the
11 standards.

12 So I liked what President Tilghman
13 had to say about groups sort of voluntarily
14 saying this is the bar. I think that that
15 should be, perhaps this is your implication,
16 structure-neutral.

17 In other words, you don't have to be
18 this or that kind of university or college or
19 what have you, as long as you're willing to
20 kind of get to a certain place. So that
21 would, you know, move the conversation more
22 toward the kind of outcomes that Ralph is

1 talking about, and different organizations can
2 make different kinds of choices and embody
3 different kinds of values when it comes to
4 those standards.

5 But it would all be disconnected
6 from the regulatory Title IV process, which is
7 just very different and requires a different
8 set of expertise, process, standards and
9 attitudes, quite frankly.

10 CHAIR STAPLES: We have -- I'm
11 sorry?

12 (Off mic comment.)

13 MS. TILGHMAN: I would just -- very
14 quickly, I can do this really quickly. I
15 would just underline something that Kevin
16 said, that continuous improvement is a value
17 that is either embedded in an institution's
18 DNA, if you'll excuse a molecular biologist
19 using a term of art, or it's not. I agree
20 completely, that it is very difficult to
21 induce continuous improvement simply by
22 federal legislation.

1 On the other hand, if we were to --
2 if you, rather, were to in the future adopt a
3 system not unlike the one that Anne Neal was
4 proposing much earlier, I think most
5 institutions that I know would welcome
6 voluntarily, every ten years, going through a
7 rigorous peer review, that looks at the
8 efforts that the University or the college has
9 undertaken, in order to achieve continuous
10 improvement.

11 I think it would be, you know,
12 whether it becomes voluntary or whether it
13 becomes mandatory, I think it is a very good
14 thing for an institution, to take time once
15 every ten years or so, and really very
16 seriously and comprehensively reflect on what
17 its weaknesses are and how it needs to move
18 forward to improve as an institution.

19 But allowing the institution to
20 define, you know, its own weaknesses and how
21 it's moving forward to improve those
22 weaknesses, is the way I would put it.

1 CHAIR STAPLES: I know that Arthur
2 had a question and Larry has one, and I think
3 we'll wrap up.

4 MEMBER ROTHKOPF: One brief question
5 to Ralph. Just before the break, you outlined
6 your seven initiatives, transparency, multiple
7 forms of decisions, recommendations, etcetera.

8 I thought they were really very important and
9 I don't want to lose sight of them.

10 My question is what kind of reaction
11 did you have from your institutions to that,
12 to these initiatives? Were they receptive?
13 Have they been?

14 And secondly, to what extent are
15 other accreditors following the lead of your
16 organization, because I think what you're
17 doing is something that voluntarily I don't
18 like the idea of the rule coming down from the
19 top. But I do like the idea of an accrediting
20 body adopting some standards and some
21 initiatives that I happen to think are very
22 good and actually very consistent to what we

1 heard from Peter Ewell this morning.

2 So I'm interested in the reaction,
3 both in your region, but also around the
4 country.

5 MR. WOLFF: First of all, we're
6 about, I don't know what I'd say, 25 percent
7 into the process. So the commission has
8 embraced each of these goals. We have task
9 forces on each, and the task forces are
10 comprised of wide representation from a whole
11 wide range of institutions.

12 Each of these have been affirmed by
13 the task forces. Now we're filling in how
14 would we do it, what would be the reporting
15 mechanism and the like, and that's what the
16 funding will be used to do.

17 The pushback has been around
18 multiple levels of accreditation. That's
19 scary. What would that look like, a report
20 card or a quality indicators report? How
21 would that be? Very considerable concern
22 about that. Publishing and focusing

1 institutions even more heavily on retention
2 and graduation concerns, that that will lead
3 to a lowering of quality. We don't believe
4 that to be the case.

5 So the devil is -- a lot of the
6 devil will be in the details. But I will say
7 that at the commitment of the commission has
8 been affirmed twice unanimously, that this is
9 the direction to go, because it builds on what
10 we've done, it's the right thing to do, and
11 will address the future.

12 One thing I didn't say is we have a
13 task force on changing ecology, because we're
14 scanning the future and saying that whatever
15 model we have is going to need to adapt to
16 these changes that are already occurring.

17 As far as the other regions, we're
18 sharing it. One of the things that the
19 regions that we're all talking about is how do
20 we look at the issue of transparency. So
21 there is some considerable interest in what
22 will happen when we make, assuming we do,

1 which I hope we will do a year from now, all
2 of our action letters public and have them on
3 our website. What will be the implications?

4 I will say that we'll have to figure
5 out how that will work and will there be an
6 executive letter, if there are private issues.

7 But we're clearly committed to moving
8 forward, and I'm sharing the results, or at
9 least what we're doing with the other regions,
10 so that we can see how what they're doing fit
11 into a common agenda, of trying to be more
12 responsive to these public concerns.

13 CHAIR STAPLES: Larry, you have the
14 last question, and then we have to get to our
15 third party commenters. Okay. Thank you very
16 much for coming. It was a very useful
17 conversation, and we appreciate your time and
18 your input.

19 Public Commenters' Presentations

20 CHAIR STAPLES: We'll now proceed
21 with the third party commenters. Why don't
22 you all, the three of you come up? Joseph, is

1 it -- I don't know if it's Vibert or Vebert,
2 Susan Zlotlow and Bernie Fryshman. Forgive me
3 if I didn't pronounce any of your names
4 accurately. Mr. Fryshman, why don't you go
5 first? I know you're looking to get to
6 transportation. So I would like to have you
7 have that chance.

8 MR. FRYSHMAN: Okay. Thank you very
9 much. I very much appreciate that. I will
10 speak a few words about accountability for
11 accreditation decisions, and I guess I was
12 very pleased that at the end, I heard Ralph
13 talk about some of the other elements of
14 outcomes, and identifying elements for
15 accountability, that have nothing to do with
16 structure and nothing to do with graduation
17 rates and placement and commonality, retention
18 as proxies for learning. They're not.

19 They're numbers, and sometimes the
20 numbers make sense, sometimes they don't. I
21 was troubled, and again I'm appreciative to
22 Ralph for at least touching on some of these

1 things. We should be talking about things
2 like deep reading, critical thinking,
3 confidence in addressing problems, lifelong
4 learning. The transformation, we still
5 believe in that.

6 I speak for my agency, for the
7 rabbinical schools. That's what we're all
8 about. We are looking for the transformation
9 of the human being, and where I teach, well,
10 when I teach, I also look for that. These are
11 not elements which are easily measured.
12 They're measured by experts

13 They're not measured by numbers, and
14 sometimes the numbers paper over the reality.

15 So we're focused on -- we're diverted. We're
16 looking for things which are not really
17 relevant.

18 Now I'm not here really to say what
19 other agencies should do. Every agency should
20 have a right to do what makes sense in its own
21 field. Every agency should be able to define
22 what its field is, establish. The onus should

1 be on the agency to establish, through the
2 Department of Education, what makes sense and
3 why it makes sense and how it's going to be
4 measuring.

5 But the word measuring doesn't mean
6 measure with a yard stick. It means measuring
7 with tools which are characteristic of what it
8 is you're trying to measure. Numbers, at
9 least in my kind of education and in certain
10 other kinds of education, make no sense.

11 They may have, they may make sense
12 in agencies where there is an occupational
13 component, where you can count success, you
14 can measure success. You can use these
15 placement and job rates as a proxy for
16 success.

17 Not in every kind of learning, and I
18 guess that would be my message to the
19 Department of Education, that even though the
20 regulations are one, the standards are one.
21 But the way in which you impose the standards
22 has to be done with a great deal of

1 cleverness.

2 I thank you very much, and once
3 again, I very much appreciate your giving me
4 the opportunity to speak first.

5 CHAIR STAPLES: Thank you, and thank
6 you for your comments. I appreciate your
7 time. Whatever order the two of you would
8 like to proceed, go right ahead.

9 MS. ZLOTLOW: You go first.

10 MR. VIBERT: Good afternoon, Mr.
11 Chair and members of the Committee. My name
12 is Joseph Vibert. I'd like to take the
13 opportunity to respectfully remind you of a
14 group of not insignificant stakeholders who
15 are very interested in these proceedings.

16 I'm executive director of ASPA,
17 which is the Association of Specialized and
18 Professional Accreditors. ASPA represents 61
19 agencies that assess the quality of
20 specialized and professional higher
21 educational standards for education programs
22 in the United States.

1 Our member accreditors set
2 standards, to ensure that students in
3 educational programs receive an education
4 consistent with standards for entry to
5 practice, or advanced practice in each of
6 their respective fields and disciplines.

7 More than half of ASPA members are
8 recognized by the Department of Education, and
9 14 of those have Title IV responsibility. The
10 others who are recognized by the Department,
11 have other federal linkages which have not
12 been brought up in these discussions. So I'd
13 just remind you of that.

14 Protection of our stakeholders is
15 the primary concern of professional and
16 specialized accreditors. This includes
17 potential and current students, graduates,
18 programs, consumers of our graduates, services
19 and state and federal governments.

20 Programmatic accreditors serve the
21 important role of ensuring that when students
22 complete programs, they possess the necessary

1 profession-specific competencies to interact
2 safely and effectively with the public. These
3 specialized competencies are very different
4 from the competencies that may be required for
5 accreditation at the institutional level.

6 It's interesting that in this day
7 and a half that's been devoted to the
8 discussion of accreditation, that no
9 programmatic accreditor was invited to make a
10 presentation. So my members live and breathe
11 these issues on a daily basis, and we would
12 ask that you keep us in mind for future such
13 discussions. Thank you.

14 CHAIR STAPLES: Thank you. Please
15 proceed.

16 MS. ZLOTLOW: Hi. I'm Susan
17 Zlotlow. I come before you now with
18 trepidation, because I already came before you
19 once, and I get to come back before you in a
20 year.

21 But I wanted to share some
22 observations. They are kind of meta-

1 observations, and it's a concern that I heard
2 some people mention something that I'm afraid
3 will be lost.

4 A lot of time has been spent talking
5 about standards at a big picture level, at
6 statutes, at regulations. But what I haven't
7 heard at all is the process. Accreditation is
8 both a status and a process. Recognition by
9 NACIQI is a status. We want to be recognized,
10 but it's also a process.

11 One of the things that's clear is by
12 the Higher Ed Opportunity Act, there was a
13 change in not only the composition of NACIQI,
14 but the role of NACIQI. My concern is when we
15 look at things like what is the standard, what
16 is the process and what is change, you all are
17 focused on the standards level and not the
18 process level.

19 I believe that you have an
20 opportunity to make changes already inherent
21 in the change in the structure, I haven't
22 heard you discuss it. One of the things that

1 Dr. Pepicello was talking about is the
2 granularity of the standards. The reality is
3 if you look at the regulations themselves,
4 they are not that granular, okay.

5 The statute itself is not that
6 specific. The regulations are a little more
7 specific. What is granular is what has come
8 out of the Department. They have, the staff
9 have had to go to the level of provide a guide
10 that is granular.

11 In that guide, it even says this is
12 guidance. So the reports you are getting are
13 at a granular level, but I'm not clear that
14 that's the role of NACIQI, to say are you
15 living by the guide, or are you living by the
16 regulations.

17 I would ask that you as a group talk
18 about your own process now, and that was
19 brought up by a number of speakers, and I
20 don't want it to get lost, okay. Ralph spoke
21 to that, Judith talked to that, and Peter, you
22 all talked to that. But you have, if you're

1 talking about change, you're talking about
2 providing input to the Secretary, who will
3 take that on advice and provide something to
4 Congress, who will take that on advice.

5 Regulations, Jamie will go into
6 negotiated rulemaking, and they will take that
7 into advice. So I want you to look again at
8 your charge and your process, and discuss what
9 you can do now, based on the regulations, not
10 on the specifics, to look at some of the
11 things you want to look at.

12 So I would say it's always
13 interesting, and those of us in
14 accreditationland, as I call it, we know that
15 our commissions love to talk about policy, and
16 program review is just tedious. But that's
17 what happens. If you focus on the details, if
18 you focus on the big picture, you are setting
19 precedent with every meeting, when you go
20 forward with accepting granularity.

21 Part of the problem we need to
22 understand is the process right now, where if

1 you go more granular and provide specifics on
2 everything, and everyone is out of compliance,
3 we as accreditors have to pass that along to
4 the agency, for me programs for the
5 institutions we accredit. I would ask that
6 you provide more role modeling and thinking
7 with part of the discretion, we call it
8 professional judgment that we think is
9 important in any kind of quality assurance
10 mechanism.

11 CHAIR STAPLES: Thank you very much.

12 That was very helpful testimony. At this
13 time, we'll take a brief ten minute break, and
14 then we'll begin our discussions.

15 (Whereupon, a short recess was
16 taken.)

17 CHAIR STAPLES: People who are
18 having conversations, I would request that you
19 continue them outside, and the members of the
20 committee please come to the front desk table.

21 I want to thank everybody for your
22 participation today and your patience, and we

1 obviously are -- we have an awful lot more of
2 conversation that will occur, I'm sure, this
3 afternoon, some of it in written form and some
4 of it in other forms. But we just want to say
5 to all those who are participating in the
6 audience how much we appreciate you coming and
7 your testimony and your input.

8 Whether we discuss it in the next
9 stretch of time today or not, please
10 understand, we will continue to talk about
11 these ideas, and we will have future
12 opportunities to try to shape them into a set
13 of model recommendations that we will carry
14 forth.

15 At this point, I would like to
16 recognize Susan Phillips, to describe a little
17 bit of where we are and what we expect to do
18 the rest of the day.

19 MS. PHILLIPS: So I have a proposal,
20 given that it's Friday afternoon and I can see
21 the homing pigeon qualities increasing in all
22 of us. I think overall, after a bit more

1 discussion, this meeting has given some very
2 strong ideas for development of
3 recommendations about where we are.

4 So what I'd like to do is to spend a
5 bit of time with the last issue that we just
6 heard about, and then wrap up where we are now
7 and promise you some food for thought in
8 written form over the next couple of weeks.

9 So let me come back to the question
10 of Issue No. 3, Accreditor Scope, Alignment
11 and Accountability, our Issue No. 3 of the
12 three that we have selected. Because you have
13 done so well with my task of addressing the
14 issue of what's working well, what we want to
15 keep, what's getting better and what we want
16 to grow, as well as the opportunities for
17 correction, I thought I would just sort of
18 fast forward and suggest to you what the end
19 of that conversation might look like, and ask
20 you to edit it.

21 So I'm going to propose that what we
22 might say as a group, and again, feel free to

1 edit this as we go along, is that the answer
2 to the question of what's working well, on the
3 issue of accreditor scope, alignment and
4 accountability that we want to keep, is that
5 the accreditation self-improvement functions
6 are working well for those with a DNA so
7 inclined, that the leadership of institutions
8 is indeed promoting excellence and creativity,
9 and that regional and specialty accreditation
10 is seen as an indicator of quality. So it's a
11 good quality indicator.

12 I'd also say that we were, we'd
13 agree that one of the things we're doing well
14 is diverting resources away from improvement
15 and towards data collection that isn't seen as
16 getting us towards improvement. Okay. So
17 that's the list of things that I propose we
18 might conclude that we're doing well.

19 The list of things that I might
20 propose that we would have as a conclusion for
21 the questions of opportunities for correction,
22 for change, for doing things differently, I'm

1 going to subdivide into four categories.

2 One is four gatekeeping functions.
3 There might be a smaller set of threshold
4 standards or proxies that are not common or
5 national, and that are institutionally based.

6 For the functions of improvement;
7 that there be a provision of peers for that
8 process, however that's defined; that perhaps
9 there would be a provision of benchmarks; that
10 there be opportunities for community learning,
11 however defined; that there be differentiated
12 processes; and that there be opportunities to
13 focus on those who need it most.

14 For public accountability functions,
15 for the public, simplified but meaningful
16 information about what accreditation means,
17 and for institutions, transparency of the
18 accreditation process itself.

19 The fourth category of things that
20 could be changed is directions to NACIQI, in
21 which we might raise some questions about our
22 role, both in terms of a policy agenda, a

1 standing policy agenda, and in the policy that
2 we make in every agency recommendation.

3 Okay. So that was a half hour of
4 discussion, all wrapped up into one three
5 minute discussion. What would you change,
6 what would you add, what would you delete,
7 what would you suggest?

8 CHAIR STAPLES: Susan, I apologize
9 if I missed this, because I admit for one
10 second I took my eye off what you said. The
11 issue that I thought that was interesting for
12 us to put on a list to contemplate, whether
13 it's for this process or for the future, is
14 the way in which we might look at modifying
15 the regulatory process to promote innovation,
16 to allow more innovation out there.

17 In other words, there are --
18 comments were made, I think they were fairly
19 compelling, that the regulations themselves
20 limit the innovation that we might like to see
21 happen, and that we put on our list at some
22 point the idea of taking a look at what limits

1 more flexibility, by virtue of the statutes
2 or regulations and might that find a way into
3 our recommendations, that there be an
4 opportunity for waivers or for some other
5 mechanism for innovative work.

6 MEMBER STUDLEY: Cam, I would only
7 add to that, and to explore whether there are
8 any that exist now that we can take advantage
9 of.

10 MEMBER WU: Or to put it a different
11 way, some people around the table have said
12 are we willing to consider really bold ideas.
13 Maybe one way to do it is here are really
14 bold ideas, and here are the more incremental
15 ideas, if we're willing to think about the
16 big, bold ideas.

17 CHAIR STAPLES: Anybody else?
18 Arthur?

19 MEMBER ROTHKOPF: Yes. I'd just
20 like to maybe throw out an idea that doesn't
21 go to the specific recommendations here. But
22 over the last couple of days, we heard a lot

1 about data that's collected that's useful,
2 data that's collected that's not useful, and
3 data we might collect.

4 I think we've all got sort of
5 different ideas about it. But I think there's
6 one resource we might think about going to and
7 getting some advice. While our
8 recommendations are going to, you know, up the
9 line to the Secretary. I think it would be
10 helpful if we could, and maybe it's Susan or
11 some subgroup, get the ideas of the staff who
12 deal with this all the time.

13 In other words, we spend the first
14 day and a half relying on the staff, and
15 getting their input as to what's happening and
16 not happening and where we ought to take
17 advice or not take advice or, you know,
18 recognize an organization.

19 But I just think it would be useful
20 to find out from the staff who are sitting
21 around here, what their thoughts are on data,
22 based on their experience, which is quite

1 extensive, as to what they think is useful or
2 not useful, what could be better.

3 So I guess I'd just throw that out
4 as an idea that we might aid in our
5 deliberations, particularly on the data side,
6 but even maybe on the process side as well.

7 CHAIR STAPLES: Any other comments?

8 We did talk -- Susan, maybe you could mention
9 how we might, there might be an opportunity
10 after today for members to convey more
11 thoughts to you, those who are here and those
12 who have left, so everyone recognizes this is
13 not the last moment to have input on this
14 phase of the process.

15 MS. PHILLIPS: Absolutely. It being
16 Friday afternoon, I'm not sure if I've done
17 simply a masterful job of capturing all of our
18 points of consensus, or there simply is
19 exhaustion.

20 In any event, I would welcome more
21 discussion about what's working well and what
22 are the opportunities either you want to

1 underscore in what I mentioned, or you want to
2 add or subtract.

3 I'd also offer the opportunity to,
4 you know, as you go on in your next week or
5 so, to jot down comments that have occurred to
6 you, as this, as you slept on this and
7 considered what's been a pretty big banquet of
8 information, what we might want to include in
9 our recommendations.

10 CHAIR STAPLES: And I think, as
11 Susan mentioned earlier, that she is intending
12 then to turn that around in some sort of a
13 summary fashion again, and we will send that
14 out to the full committee prior to the
15 subcommittee meeting in September, and the
16 full Committee can then weigh in again, make
17 sure by the time the subcommittee meets
18 they've got all the input that came out.

19 So if there is no other comment
20 right now, I'm sorry. Aron, yes?

21 MEMBER SHIMELES: I know this was
22 said already, but I just wanted to get the

1 student perspective on the record. So I just
2 want to say I agree with Jamie and Art, when
3 they were talking about the value of regional
4 accrediting bodies, in forcing diverse
5 institutions to engage with one another,
6 because from my student experience and my
7 undergraduate experience is the most recent
8 of anyone on the board, I'd say that a lot of
9 student frustrations come from the tendency of
10 institutions to over-rely on what their
11 perceived peers to be doing.

12 I think the extent to which
13 institutions can look beyond their closed
14 circle of pre-determined peers, to look at
15 what other innovative things that other
16 institutions are doing, I think that's a
17 really positive thing.

18 That isn't to say there isn't value
19 in having institutions of comparable size or
20 stature look to one another for best
21 practices. But I still think there's just a
22 value in those diverse institutions engaging

1 with one another.

2 CHAIR STAPLES: Thank you very much
3 for that. If there are no other comments at
4 this time, we will call the meeting to a
5 close, and again, as Susan said, if you could
6 over the next week or so, send any additional
7 comments to her, that would be very helpful
8 with that process. Thank you very much, and
9 have a good trip home.

10 (Whereupon, at 2:32 p.m., the
11 meeting was adjourned.)

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