U.S. DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION

NATIONAL ADVISORY COMMITTEE
ON INSTITUTIONAL QUALITY AND INTEGRITY
(NACIQI)

MEETING

THURSDAY
DECEMBER 11, 2014
8:00 a.m.

CROWNE PLAZA NATIONAL AIRPORT
1480 CRYSTAL DRIVE
ARLINGTON, VIRGINIA 22202
PRESENT COMMITTEE MEMBERS

SUSAN D. PHILLIPS, Chair
ARTHUR E. KEISER, Vice Chair
SIMON J. BOEHME, Member
JILL DERBY, Member
ROBERTA L. DERLIN, Member
JOHN ETCHEMENDY, Member
ANNE E. NEAL, Member
WILLIAM PEPICELLO, Member
ARTHUR J. ROTHKOPF, Member
FEDERICO ZARAGOZA, Member

STAFF PRESENT

Carol Griffiths, Executive Director, NACIQI
HERMAN BOUNDS, Director, Accreditation
SALLY WANNER, Office of the General Counsel
PATRICIA HOWES, Management/Program Analyst
ELIZABETH DAGGETT, Staff Analyst
JENNIFER HONG, Staff Analyst
VALERIE LEFOR, Staff Analyst
CHUCK MULA, Staff Analyst
STEVE PORCELLI, Staff Analyst
RACHAEL SHULTZ, Staff Analyst
KAREN DUKE, Records Management
CATHY SHEFFIELD, Staff Assistant

PRESENTERS

TED MITCHELL, Under Secretary
U.S. Department of Education
Welcome and Introductions
Susan D. Phillips, Chairperson, NACIQI

Discussion with Ted Mitchell, Under Secretary, Department of Education

Consent Agenda

Actions for Consideration: Recognition Based on Compliance Report

Academy of Nutrition and Dietetics, Accreditation Council for Education in Nutrition and Dietetics (ACEND)
Middle States Commission on Higher Education (MSCHE)
New York State Board of Regents and Commissioner of Education (NYSBR)
Oklahoma Department of Career & Technology Education (OKSB-vt)
Western Association of Schools and Colleges, Accrediting Commission for Senior Colleges and Universities (WASC-SR)

American Veterinary Medical Association, Council on Education (AVMA-COE)

Action for Consideration: Recognition Based on Compliance Report

NACIQI Primary Readers:
Federico Zaragoza, William Pepicello

Department Staff:
Dr. Jenifer Hong
Representatives of Agency:

Dr. Frederik J. Derksen, Chair, Counsel of Education AVMA
Dr. John Pascoe, AVMA
Dr. David Granstrom, Associate Executive Vice President and Chief Operation Officer, AVMA
Dr. Karen Martens Brandt, Director, Education and Research Division, AVMA

Third Party Oral Commenters

Sheila W. Allen, DVM MS, Dean, University of Georgia
Trevor Ames, Professor and Dean, College of Veterinary Medicine, University of Minnesota
Eric Bregman, VMD
Nancy O. Brown, VMD, DACVS, DACVIM, Hickory Veterinary Hospital
Cyril Clarke, Dean, VA-MD Regional College of Veterinary Medicine
Mark Cushing, Founding Partner, Animal Policy Group/ATonkon Torp LLP
Joan C. Henricks, V.M.D., Ph.D., School of Veterinary Medicine, University of Pennsylvania
Kent Hoblet, DVM
William Kay, DVM, DACVIM, DABB
Deborah T. Kochevar, DVM, PhD, DACVCP, Cummings School of Veterinary Medicine at Tufts University
Michael D. Lairmore, Dean, School of Veterinary Medicine, University of California, Davis
Mary Beth Leininger, DVM
Sheila Lyons, Founder and Director, The American College of Veterinary Sports Medicine and Rehabilitation
Robert Marshak, DV, DACVIM, School of Veterinary Medicine, University of Pennsylvania
Eden Myers, DVM
Phillip Nelson, Dean and Professor of Immunology

Status: 2014 Accreditation Policy Recommendations

Report Framework of the Deliberation
Susan Phillips, Chair

Committee Discussion/Deliberation:
Accreditation Policy Recommendations
PROCEEDINGS

(8:06 a.m.)

CHAIRMAN PHILLIPS: Good morning and welcome to the 2014 December meeting of the National Advisory Committee on Institutional Quality and Integrity.

I'm Susan Phillips, State University of New York at Albany and Downstate Medical Center, and I'm Chair of this Committee. I'd like to ask each of our members to introduce themselves. I'll save you for the last, as we begin.

MR. KEISER: Art Keiser, Keiser University in Florida.

CHAIRMAN PHILLIPS: A reminder to use mikes.

DR. ZARAGOZA: Federico Zaragoza, Alamo College, San Antonio.

MR. ROTHKOPF: Arthur Rothkopf, President Emeritus, Lafayette College.

DR. PEPICELLO: William Pepicello, President Emeritus, University of Phoenix.

MS. NEAL: Anne Neal, President of
American Council of Trustees and Alumni.

DR. DERLIN: Bobbi Derlin, Associate Provost at New Mexico State University in Los Cruz.

DR. ETCHEMENDY: John Etchemendy, Provost of Stanford University.

MR. BOEHME: Simon Boehme, Maynooth University, Ireland.

DR. DERBY: Jill Derby, Association of Governing Boards.

MS. GRIFFITHS: Carol Griffiths, Executive Director for the NACIQI.

MS. MORGAN: I'm Sally Morgan with the Office of General Counsel, like the other Department staff members here I'm not a committee member.

MR. BOUNDS: Herman Bounds, Director of the Accreditation Group.

CHAIRMAN PHILLIPS: And staff along the side check.

(Staff introductions off mike.)

CHAIRMAN PHILLIPS: Thank you very much.

Our first item of business today will be to have an address by Ted Mitchell, Under Secretary
of the Department of Education.

Before we move to that item, I wanted to follow up on an issue raised at our June meeting by Ms. Neal concerning the disqualification process that had resulted in her recusal from participation in discussion and vote concerning one of the agencies in that meetings' agenda.

While we were not immediately able to address the matter at the June meeting, we stated that we would take steps to learn about the disqualification process and to consider what further action might be need.

Since that time, we've had the opportunity to have a briefing on the disqualification process from the Office of General Counsel and had further conversation about the issues in the matter at hand.

It's been clear in these discussions that all would benefit from greater clarity about the process and substance of disqualification decision-making. In turn, the following set of actions and plans have been put into place.

First, the decision to require recusal by
Ms. Neal in the instance at hand has been suspended. There is a formal reconsideration underway, where the particulars in that instance, with the results to be provided to Ms. Neal by December 31, 2014.

Second, the OGC, Office of General Counsel, will be drawing up a draft set of standard operating procedures that spells out the process for disqualification, including the timelines, the notice requirements, and the opportunities for reconsideration.

Third, the Office of General Counsel will develop a discussion draft document about the factors that play into the final judgments, particularly, for those cases where there is ambiguity. The draft standard operating procedures and the discussion draft of factors will be distributed to the committee for review, question, and comment by December 31, 2015. These documents and any needed revision will be included as an action item on the June NACIQI agenda.

I’ve also asked Ms. Griffiths and Ms. Morgan to update the Committee on how complaints
against agencies are handled, and how those complaints are considered in the NACIQI review process by our next committee meeting.

So, with that update, I want to follow up then with an introduction of our speaker today. Undersecretary of Education, Ted Mitchell -- excuse me?

MS. NEAL: I don't want to intrude with Mr. Mitchell's talk, but I would like to put something on the record afterward.

CHAIRMAN PHILLIPS: So noted.

So, we welcome you to our meeting this morning. Thank you very much for taking the time to visit with us and to talk about the policy issues that is at hand on your plate, and of course, on ours. Thank you.

SECRETARY MITCHELL: Thank you, Susan, and thanks to all of you for letting me intrude on your agenda this morning, and Susan thanks for your leadership of NACIQI.

Actually, before I begin, there are a couple of other members of the Department who are
there that I'd like to introduce.

Lynn Mahaffie is in the back. Lynn is Deputy Assistant Secretary for Policy, Planning, and Innovation in the Office of Postsecondary Education. And Mushtag -- in the Office of the Undersecretary. Mushtag Gunja will be joining us as well. Jamie Studley, who you all know well, Jamie is the Deputy Undersecretary in the Department of Education, and as I'll talk about in a few moments, heading up a number of areas of important work, including our ongoing work on accreditation. So, happy to have Jamie with us this morning as well.

We talk a lot in our work together about the triad, and we'll spend some time talking about that this morning, I know, but I want to talk about a slightly different kind of triad, one that's been quite important as the frame for our work in the Obama Administration; and that's the re-part of the equation that starts with access that has affordability as its next leg, and then outcomes. And it's that triad, the link between access, affordability, and outcome that is really at
the center of our work as an Administration, and has been at the center of the policy work that we do.

All of that works to create the right outcomes for students and for American society if, and only if, it is accessed to affordability, quality education that achieves high outcome. And it's that quality piece that I think brings NACIQI together, and it's that quality piece that is at the heart of the matter of accreditation.

And so I want to thank NACIQI for keeping its eyes and our eyes on the ball when it comes to assuring quality across an incredibly diverse sector of higher education represented well by the membership of NACIQI. And it's that idea of quality, I think, that we would like to work with you to focus on even more sharply in the coming years, and you're the right group to do it.

The Secretary, our colleagues on the Hill have populated NACIQI with an incredible array of experts who bring to this project great expertise, both in your institutionalized and your lives working through the accreditation process.
In comparison to you, I am a rookie several times over. Not only am I relatively new to this job, but I only served one round as a commissioner on WASC and some time on campuses, but I do think that those varied experiences give me a sense of the task at hand.

I think that we, in the Department, need to commit ourselves, and hear me committing us to it this morning, to work with you more directly, more consistently, and with a clearer sense of both our shared purpose and our unique roles. So, I hope that this morning we can have a conversation about that, and about the ways that we can be the best partners we're able to be with you.

In that partnership, I think we start with a terrific sense of shared values, and I think at the center are these ideas of quality of access, of affordability, and of high outcomes. I think that we share the vision that in the 21st Century higher education in America will be more open to more students who typically have not had access to higher education and that we will come to embrace what we
used to call as non-traditional students, really the new normal--students that span the age range, the socioeconomic range, who are working part-time, schooling part-time, managing complicated lives, but still working to build a higher education portfolio that enhances their well-being, and through their well being as a community and as a nation.

We need to make sure that that access is coupled with affordability. We need to continue our work together to identify ways to make education more affordable without cheapening it. It's a complicated process, and one in which we know there are no easy answers.

And we need to try to assure greater access throughout and a greater percentage of students completing what they start, finishing their certificates, finishing their degrees, finishing their programs of study. I think that we share both the overall goal and the specific goals in understanding that success in today's world requires access to higher education.

At the College Opportunity Summit last
week, the President was very clear in his statement that higher education is a necessity in the 21st Century. I think that we believe that that is true. That's why the President has said that, for the Administration, the North Star goal of regaining our position as first in the world in degree attainment for secondary degrees and certificate attainment by America's young people. Our work in the Department is focused on that North Star goal.

As we focus on that goal of increasing college readiness in the K-12 environment, making the transit between K-12 and higher education easier and more seamless, as we work on higher education access and affordability and work on college completion, we've come to the understanding that we can't get to the President's goal by doing things the way we've always done them. There isn't capacity in the current system to do it and there needs to be flexibility to meet the needs of these 'non-traditional" students to be able to achieve the goal.

I said a couple of days ago that this is
both a math problem, getting the numbers that we need to solve the President's problem, but it's also more fundamentally a moral challenge to us. Can we create a system of higher education that reaches more effectively into populations that had been deprived of access and populations that currently don't complete higher education at rates that are not conscionable for us?

The good news is that innovation is all around us. And we all know from our work on the ground in institutions that the very best kind of change is coming from the field where our colleagues are taking seriously the notion that we have to do things differently. We're quite bullish on innovation and want to draw that thread through our conversation today.

We're bullish because we're seeing institutions changing their game inside. We're seeing institutions, for example, using information technology and data systems to create predictive analytics that allow institutions to understand students who are at risk of dropping out earlier than
they might have before, enabling them to intervene to
create a leg up on persistence and completion.

We're seeing new delivery modes and
blended learning opportunities creating more flexible
options for students as they make their way through
their higher education experience. And finally,
we're seeing the emergence of completely new business
models as institutions challenge themselves to behave
in very different ways.

In all of those fashions, we believe that
the field, as always, will be the source of the
greatest innovations that will lead us, not only to
the President's numerical goal, but to a system of
higher education that is more accessible, more
affordable, and generates more predictable high
outcomes for more students.

We'd like to be a part of that innovation
exercise in the Department, and we'd like to do it in
several ways. We'd like to do it first by supporting
those campus-based innovations that I categorized
just a second ago. And so our first in the world
grant program is a way for us to reach out directly
to institutions and sponsor innovative projects that we hope will help improve access and moderate costs. We're also hoping that we can, in addition to supporting innovation, that we can support the research and evaluation that's so necessary to help us understand which innovations are really moving the dial for students, and particularly, traditionally underserved students.

And so, our research agenda, in collaboration with our colleagues at NCES and IES will be geared toward evaluating innovative projects and programs, hopefully offering us a road map that other institutions can follow. In addition to sponsoring innovation and helping to do the evaluation and the research, we want to be able to scale the innovations that are, indeed, promising. And so achieve that, we are working through our grant programs, and through the good work of Lynn and her colleagues to encourage grantees, applicants for federal funds, to link their proposals to establish research bases that will allow promising innovations to scale.
And then finally, we are committed to following the trail of those scaled innovations and promising innovations to make our proposed policy changes that will make it more likely that more innovative practices affecting more students can take place. And we know that, in part, that's going to mean getting out of the way. It's going to mean changing some regulations to make it easier for institutions to create innovative practice, and we're experimenting there as well.

I think that you all know that we are mounting a number of experimental site projects with institutions in which, for example, we are working to develop new financial aid delivery modes that are more compatible with more modularized competency-based or direct assessment models of assessing student learning and dispensing credit.

In those ways and others, we would like to be able to spur innovation, prompt the evaluation of that innovation, scale those innovations and create a policy map that will lead us to the next cycle of innovation and change, but, in that, we need your
We need your help because the basic premise of innovation is that things change. And as we change things, we need to be flexible and we need to encourage flexibility at an institutional level. We need to encourage flexibility among accreditors as well. But we need to thread the needle because flexibility doesn't mean the Wild West. Flexibility doesn't mean anything goes. Flexibility has to be combined with rigor and I think that that's the challenge that we face over the next several years is to work with accreditors who will work with institutions to develop a scheme that is both flexible and rigorous, and I hope that we'll be able to spend some time today talking about how that might happen.

I want to talk about one other kind of innovation, and that's an approach that the Administration has taken, not only in education, but across government; and that is to be more transparent and to create accountability across all of the systems in which the federal government operates.
And so, for us, that has meant regulations that create both transparency and accountability, and I'll mention two because they directly affect NACIQI's work of accreditors. Gainful employment regulations are established in order to provide some guardrails for career and technical education programs to make sure that at the end of the day those programs are doing what they set out to do, which is to provide students with training and credentials that will enable them to upscale and to make a better living than they might have otherwise.

We've struggled for a couple of years to get the right gainful regulation in place, but the new regulations will go into effect on July 1, 2015. Even though they won't go into effect until 2015, we believe that they've already made a difference in career and technical education.

Weak programs have already been eliminated, costs have been reduced, and some important innovations have been made in the way that many of these institutions work with their students. As we look at the numbers today, we estimate that
under the current regulation, the new regulation, 1,400 programs serving 840,000 students would not currently pass the regulation. And so that will be an important, we think, floor to establish as we work to protect our students in technical programs.

The other regulation package that is just out for public comment is a regulation package on teacher education. Teacher education is an important, indeed, essential part of our overall project as a nation to lift up the quality of K-12 school system. The Department believes, the President and the Secretary, and all of us in the Department believe that it's essential for novice teachers to receive the very best and most vigorous training possible before they step into the challenging environment of a K-12 classroom.

And so, in accordance with this desire to be transparent and to create systems of accountability, the regulations that we've proposed, ask states to create matrixes that would enable them to rate teacher education programs in one of four quality categories according to measures the states
establish in consultation with stakeholders.

We've asked that states include in their array four basic domains. One, employment statistics, do teacher trainees from Institution X get hired would be a good thing to know. We also, in employment statistics, want to know persistence rates. I think we all know one of the big challenges in K-12 education is high turnover rate, especially in the first five years of teaching. So, we'd like to know persistence, and particular, we'd like to know persistence in the low-performing, high-needs schools.

The second category is student learning outcomes. States have invested a lot over the last several years in more sophisticated, multiple measure approaches to evaluating teachers that include student learning outcomes. We'd like to see states use those same measures, in aggregate, to help understand whether there are meaningful differences in student learning outcomes between teacher education programs within the state.

Third, we think that states ought to
evaluate the programs from the point of view of the
novice teachers and the employers themselves, and so
we're encouraging states to create survey instruments
for the novice teachers and for their employers to be
able to get direct feedback about the efficacy of,
not just the program in general, but particular
elements of the program.

And finally, we want the states to ensure
that teacher education programs are either accredited
by specialized accreditors or meet rigorous state
criteria for program quality.

So, in those ways we believe that the
teacher education system will become more transparent
to potential employers as well as potential teacher
themselves, and that states will be able to hold
universities and teacher education programs more
accountable for graduating teachers who have been
prepared for the challenges ahead.

Not a regulation, but an important
initiative of the Department is to create a system of
ratings for colleges and universities. And this we
believe is a different kind of accountability, a kind
of public accountability that is gained by making
more data more available in a transparent way.

By the end of the fall -- no jokes please.

By the end of the fall, we're committed to delivering
to you and to the field a paper that will describe
what we have in mind for the rating system. And you
can pick your word of choice, a schema, a wire frame,
an outline. It will describe the logic that we're
looking at, and it will describe in some detail some
of the matrixes that we're intending to use. And
importantly, it will ask your help in helping us make
some choices between a couple of different
alternatives that we have in mind in some of those
matrixes.

So, the rating system, we believe, will be
both credible and it will be simple, and it will be
clear. It will be one of the ways we hope we can do
our bit to help with determining and generating
conversation about this important issue of which I
started, quality.

So, let me use that return to quality as a
pivot to come back to our work together and to some
of the challenges that we face within the accreditation environment. Again, I want to assert a central principle, which is that we, NACIQI, accreditors, and the Department are committed to a mutually respectful and constructive conversation about ways to ensure that the work we do is both meaningful to us and impactful in the field, and critically impactful with students.

We are listening hard to you. We want to continue to do that today, and I think it probably would make sense for me to stop talking and start listening, which I will do in just a second. But before I do I want to return to this issue of flexibility and rigor. I do think that's our challenge. I hope that we can talk about it a little bit this morning.

I know that Herman and Jamie want to be a part of that conversation in an ongoing way, as do I. And so let me raise a couple of questions that maybe we can start with in a minute, but I think we can probably just dive in as well. We're clearly keen on transparency and accountability. We're clearly keen
on opportunities that drive things that matter. For us, those three things are affordability, access, and outcome.

The general question that I have for conversation this morning is how can accreditors be partners in that? Love to know, for example, if there are ways that accreditation could play a role in increasing affordability, either directly or as room for new approaches emerge, through support for those emerging models.

How can we balance the need, in general, in accreditation and balance the need for taking action in extreme cases where institutions, maybe even accreditors are failing, how can we balance that with the rich tradition of peer evaluation and support that's a part of the accreditation process?

Susan has asked interesting questions about what it might mean to have a role for peer review among accreditors. I think that that's another issue that would be interesting to talk about. And I would be denying the significant portion of my daily exercise if I didn't put on the
table the question of what we ought to learn from the experience at Corinthian colleges and other colleges who -- John and I were talking earlier -- who, perhaps, don't enter the peer review process with the same assumptions in mind that others do.

So, I think we've got a lot to talk about, and I'll end simply by coming back to this theme that I'm sure you're already tired of, of innovation. I would love our conversation with NACIQI to really focus on what does innovation look like in the accrediting sphere and how can we think about innovation in accreditation along with these other kinds of innovation that we're talking about in the field and in the sector?

So with that, why don't I just stop and we can start a conversation. Thanks Susan.

CHAIRMAN PHIIIPS: Thank you so much. We really appreciate the update of a larger perspective and the hand across the aisle, so to speak, to be a partner with us in the work that we do, how we can be helpful to you, and you've posed some really interesting questions. Certainly, ones that we've
been working with about how we might reshape the accreditation recognition process ourselves.

I would open that to the Committee for questions and comments, and we'll start with Arthur Rothkopf.

Again, as a point of information for those of you on the Committee if you could remember to make sure the red light is on and also if you could speak your name before you speak.

MR. ROTHKOPF: Thank you, Susan. I'd like to first commend you, Mr. Secretary, for coming before us and really discussing a range of issues, both on accreditation and beyond that, although at the end of the day it all comes back to accreditation and I think this is the most fulsome conversation we've had with a senior official. And I, speaking for myself, very much appreciate it.

I might make a request and then a question for you. We are short at least five members of NACIQI. And I would ask -- and the five, or at least three of them who have been colleagues of ours, and very good ones, we miss. They're the nominees of the
House Democrats. And anything the Department can do
to urge them to action maybe in the next few days
would be welcomed because we really do miss our
colleagues. And think there are a couple of others,
if you will, tied up within the Department. So, to
get to a full complement I think is important for
these discussions.

Point two, we're talking --

SECRETARY MITCHELL: I will get on it.

MR. ROTHKOPF: Good. Thank you. You'll
have more influence than we will.

SECRETARY MITCHELL: That remains to be
seen.

MR. ROTHKOPF: The second point is in our
discussion later today we're going talk about
changing what NACIQI or what changes might be made in
our procedures and what we do, and I think you've
touched on some points that I think are very
important; but we'd like your support on this.

One of the things we talk about is getting
NACIQI involved in more than just the narrow
questions of approving agencies for approval and then
recommendations to the Secretary. We're actually going to discuss the question of whether we should be involved on questions of gainful employment or the ratings. And I guess I would urge or take your views on whether or not the Department might come to us and talk with us about things such as the rating system. We've not been part of that conversation. We've not been part of the conversation on gainful employment. We have ideas about more transparency, not just as you described, but also transparency within the accreditation system. We think that that's right. And I know you're formulating recommendations for Congress on higher education. We'd like to be a part of that because I think the 18 members here have a whole lot of expertise and a lot of opinions. So, I just wonder do you think we could expand the role of NACIQI beyond the very narrow questions that we deal with. So, I'm interested in your response.

SECRETARY MITCHELL: Certainly, it's a great insight. And so when I said at the outset that we needed to work together and more directly, more
consistently, and more deliberately I think part of
doing that is actually broadening the aperture and
figuring out ways for us and topics for us to
usefully engage you with. And so we're open to
figuring out what that aperture should look like and
what kinds of issues ought to be in the exchange
between the Department and the NACIQI, so we're ready
for that conversation. And I know that Herman and
Jamie and I are eager to have it. So, if we could
figure out a way to follow up after.

I know that you're going to be discussing
your report today, and there's going to be a lot in
it and coming out of that, perhaps, then we should
come back to the broader question of how we should
organize our work going forward.

MR. ROTHKOPF: Thank you very much.

MR. KEISER: I have a challenge as an
institutional member that by increasing regulation we
hope to decrease costs and increase affordability.
I've yet to see that happen in my 38 years of working
in higher education. So, if you could explain how by
making accreditors, or for that matter institutions,
follow more regulations and then lower costs I'd be
real eager to hear that.

SECRETARY MITCHELL: It's a great
question, and we would -- part of what I skipped over
is, in fact, one of the things we would like to work
with NACIQI on is making at least the accreditation
process more streamlined, more efficient. I think
that you have taken up already several times the idea
of risk-based accreditation. I think that if we can
move to more flexible approaches to some of the
processes that we can control we can start to take
costs out of there.

And one of the things that we're trying to
do in our regulatory packages is to make sure, as
much as possible, that we are not requiring brand new
institutional effort or regulatory agent effort, but
packaging up work that is already going on.

So, for instance, the teacher ed
regulation package that we worked on, we worked
closely with a number of states who are already
moving in this direction to ask them what are the
data that they're gathering? How does that work so
that we're essentially asking them to push the data
to us in a different way, and they already report on
Title II? So, we're trying to craft these things in
ways that minimize additional cost, but your point is
well-taken.

And we are also then, and fully supportive
of the bipartisan commission that is looking at
regulatory reform, fully support their efforts to try
to eliminate unnecessary or duplicative regulation.

And finally, I think in the Higher Ed Act
Reauthorization, we will be in there with our best
shots at taking opportunities to eliminate things
that are in statute rather than in regulation, or
required in statute regulation that we think are
unnecessary.

MR. PEPICELLO: Good morning, Mr.
Secretary. I'm Bill Pepicello, President Emeritus,
University of Phoenix.

And perhaps, not surprisingly, I'd like to
address the issue of what we might have learned from
the Corinthian events. And think there are two
things that I'd like to address, one is the issue of
what I call iron-hand consequences as we look to
address issues, specifically, in one sector, but I
think issues that probably have broader application
across all of higher education, and ask the question
if we were to apply some of the same standards across
the board as we do to the for-profit piece would
there been additional unintended consequences that I
think we need to consider, especially, when we're
addressing the issue of access?

And then the second piece is more
philosophical. And that is when we look at the
approach to Corinthian, and certainly, I'm not taking
a stand one way or the other. I'm talking simply the
issue of taking such action. What I wonder is -- is
there -- should there be an underlying philosophy of
fighting to fix issues as they arise, whether they're
in one sector or broader, as opposed to, at least in
some cases, eliminating or blowing up a piece of this
sector at a time when we might benefit from using
that sector to help increase access?

SECRETARY MITCHELL: So, I think our
approach has been to work to fix, and I think that
that's why we hoped to have the dual options for Corinthian as they wind down to sell to a different operator who could undertake to really provide the highest quality education to their students. And we believe we're on track to do that with a number of those campuses.

And I think that that's one of the things that we're in the process of learning is that sometimes that a fix can happen internally and sometimes that fix is more of a turn around that needs a bit of an external engine to be able to drive it forward.

And I think that to push it back on the conversation about accreditation, I'd be really interested in your view of whether you believe that there is an appropriate moment for an accrediting agency to intervene in the -- if we're going to go down the fix side, is there an appropriate moment for an accreditor to step in there?

And I guess our hope is that the answer would be yes, and maybe the tools aren't built yet in the accrediting agencies toolkit, but I think that's
something that we would really like to engage with you on. Does that make sense, as a question?

    MR. PEPICELLO: Yes. Thanks very much.

    MR. ETCHEMENDY: So, following up on Bill's question, you know one of the odd things here with accreditation we have basically a system where there is one sanction, and it's the death penalty right, and so in the case of Corinthian, the Department scrambled to try to on the one hand issue the death penalty, but then on the other hand figured out a way of recussitating the patient. I guess that sort of mixes metaphors.

    I'm curious if you have any --

    SECRETARY MITCHELL: But it's a great image.

    MR. ETCHEMENDY: I'm curious if you have any thoughts about any way to change the system so that we have what in a different context we call intermediate sanctions where's there something short of the death penalty, but something more than -- so, currently, in the accreditation system if you're not prepared to issue the ultimate penalty, then what do
you do while you require a lot of bureaucratic --
you're require more reports, you require more visits
and so you, of course, cause a lot of pain for the
institution, but doesn't have many teeth.

And so, do you have any thoughts about
ways the system could be changed so there were
penalties short of complete denial of Title IV
funding?

SECRETARY MITCHELL: So, I think that in
the question is the answer. I think that pursuing
the idea of intermediate sanctions is appropriate.
And I think another learning from, not just the
Corinthian matter, and not just the for profit
sector, either. I think that the idea of
intermediate sanctions is an important one for NACIQI
to take up.

And it's not a blanket statement, but I
think that we would be very interested in looking at
ways of supporting intermediate sanctions and maybe
even thinking about ways to do a pilot of that with
one of the accreditors over a period of time and see
how that works. I think you're right on it. I think
that's exactly right.

CHAIRMAN PHILLIPS: Arthur Rothkopf. I would also ask speakers -- we're having a little bit of difficulty in the back of the room hearing, and so if you could pull your mikes a little closer and speak a little louder that'll help. Thank you.

MR. ROTHKOPF: Yes, Arthur Rothkopf. I'd like to follow up on John's point and maybe identify two instances in recent times where I think we need to focus quite a bit on rigor, as you identified. I think that's critical. If you don't have rigor in the process, then I think we're in deep trouble. And maybe a more powerful set of intermediate sanctions is the way to go. And I give you two examples.

As a body in NACIQI, after hearing a great amount of testimony a year or so ago, and some of the testimony was from representatives of the San Francisco Community College urging us to support WASC in its recognition process, and after a lot of conversation within the Committee, we, and at least my vote, in favor was because it was an accreditor that was, for better or worse, standing up for rigor
in their view.

They went through the process. And at least, I thought, that was the right thing to do. And then at the end of the day political pressure is applied, which is not uncommon when the death penalty happens. It's not the only case, but it's one of those, so they're back in business. They've got some new life and will probably continue. So, we need something to deal with that.

The other is I have to say I was shocked, and many others were shocked to learn about one of our premium universities having lots of phantom courses over a period of many years. I think it's just tremendously disappointing, and my guess would be it's not the only place.

If they're doing it, I would guess with a high degree of certainty that there are a lot of other places with phantom courses. And how do we deal with that, and is that a failing of the accreditors? And where does the Department come in, where do we come in, where do the states come in to assure that that degree means something.
And so, I'll put those two situations on for discussion as to how you think we can get at those problems.

SECRETARY MITCHELL: I think that it rightly illustrates the need for intermediate sanctions. And I guess I would say that we share some of the same constraints in terms of having one basic tool that we can use, and it's sort of the same one you have.

I think that the tirade doesn't work if everybody stands at their corner of the triangle pointing at the next node. And instead, I think this, Arthur, might be the perfect example of the kind of core discussion that the Department and NACIQI ought to have about where responsibility lives for different kinds of assessments, different kinds of understandings about inputs and importantly outcomes and what kinds of actions and what kind of toolkit do each of the actors need to have, and do we have that; and if don't, where do we get it?

And if it's through legislative authority, then I think that becomes an important bulwark of
what we would work with Congress on in the Higher Education Act. So, I think more conversation about that issue that would enable us to create across this visual triangle a safety net for students that will allow some assurance that between the federal government and the accreditor and the state that there is watchful attention to student outcomes and there are actions that can be taken to protect students in the event of shortcomings at an institutional level.

MR. BOEHME: Thank you so much, Mr. Mitchell, for coming here. My name is Simon Boehme, and I'm a student. I'm still a student. And your presentation -- your speech really resonated well with me, and I think a lot of the Committee members the last time in the CPI encouraged all the members to try and examine, as we go through this policy document, which we'll be talking about later today, on how we can incorporate affordability and access in this system.

While those two topics disappointingly were not a bucket, as we call them, a main topic, we
were asked to think about how access and affordability could be interwoven throughout accreditation. And as to the Higher Education Act, as the Higher Education Act is being reauthorized, will the Department's legislative priorities or one of your priorities be to place a greater responsibility on accreditors to focus on access and affordability?

Because as gatekeepers of the Title IV funding they have great power, and it's not a magic wand, but accreditors certainly could shift the landscape of higher education in that sense in starting to put greater priorities on access and affordability, which is on the mind of so many students.

And then my second question to you is where do you see the role of regional accreditors throughout this process? Thank you.

SECRETARY MITCHELL: Thanks for the questions, and thanks for your commitment to being a part of this.

So, we don't have a firm answer to your
first question, and I raised it in my remarks to raise it because I do think that we need NACIQI's help and advice about whether the access and affordability vectors ought to count in the accrediting process; and if so, how?

We certainly believe that -- I would go so far as to say with Herman perfectly able to slap me back, I think we would love accreditors and we would love NACIQI to guide accreditors into being more directly thoughtful with their institutions about issues of access and affordability in observing what, why, and with what mechanics. I think we need your guidance on that.

And I think the second part of your question is that our legislative agenda will continue to focus as strongly as we can on these combined sets of three issues on access issues, and so this is where we will continue our work on Pell grants, continuing to make Pell grants accessible to students. We'll work to sustain the American Opportunity tax credits. We will work to make the Federal Student Loan process even more navigable and
transparent and do what work we can to make the student borrowing experience -- to make the investment in higher education payable at the back end by making student debt manageable. And we'll encourage institutions -- and we've have this in our budget proposal for a number of years -- we will encourage institutions quite directly to enroll more Pell-eligible students and to ensure their completion by raising the prospect of a Pell bonus for institutions that do well in that regard.

On affordability, we hope that the college rating system, by giving potential students transparent access to information about price, will help change the conversation at an institutional level about cost and price. And so, we're going to be laser-focused on those issues as well. But access and affordability really matter only if it's access and affordability around a quality program, and that's where we need to be in such tight conversation with NACIQI and with accreditors.

On the regional accrediting front, I think one of the things that is in the air, and I look
forward to reading your report, the regional
accrediting system I think how we create a sensible,
ecosystem of accreditors in an environment in which
institutions are no longer entirely "place-based" I
mean just raises a bunch of questions about the
place-based systems, whether they're accrediting
systems or any of the other systems of which we work.

So, I think it's actually a challenge to
the fundamental integrity of the triad, at least on
the state and the accrediting side, and I think we
should figure it out, but I don't think that there's
a going-in presumption that we should get rid of
regional accreditors.

MR. BOEHME: Thank you.

CHAIRMAN PHILLIPS: So, we can't actually
believe there aren't ideas that would reach the air,
although we have reached the end of our time.

Ted, thank you so much. You have really
enriched the conversation that we will have this
afternoon. We thank you for your prespective and for
your partnership in working through some of these
very challenging issues.
SECRETARY MITCHELL: Thank you.

CHAIRMAN PHILLIPS: Thank you. The Committee, we're going to stand adjourned for a 15-minute break. We'll resume at about 9:15 and take up our regular agenda. Thank you.

SECRETARY MITCHELL: Thank you. Thank you all.

(Whereupon, a 15-minute break was taken.)

CHAIRMAN PHILLIPS: All right. Good morning. Welcome back. We are organizing our technology. I had noted that Anne Neal would like to read a note into the record following my announcement earlier this morning. So, Anne, the floor is yours.

MS. NEAL: Thank you so much, Susan.

I would like to add just a few additional observations for the Committee's and the Department's consideration before we move on to the business of the day of the recusal matter that you raised.

I lodged a public protest six months ago at our last NACIQI meeting after a regulated agency, SACSCOC, moved for my recusal in secret. The
Department promised to address the matter at that meeting, but now six months later they want more time.

Without my input or even my prior knowledge, the Department had me in April to recuse myself on all matters concerning SACSCOC for the remainder of my tenure on NACIQI. I was further advised that if I participated in the future I would be found in violation of the criminal conflicts of interest statute.

In reaching that conclusion, the Department cited a complaint my office filed, using a procedure permitted by any citizen raising concerns about a SACSCOC action. The complaint addressed constitutional issues regarding the powers delegated by the Department to the accrediting agency and the Department's oversight responsibilities.

While the Department cited this complaint as the ground for recusing me, this complaint was not shared with NACIQI, and it was not included in the materials before the Committee when SACSCOC was unanimously renewed by the consent agenda. I am
pleased that the Department has concluded that further review is in order, but I must say the decision is done and the earlier recusal cannot be reversed.

If not properly addressed, I do fear that the recusal requirement threatens the ability of every member of the Committee to participate in the exchange of ideas and opinions crucial to higher education policy making. If criticism publicly and openly offered can become the foundation for forced recusal from the Committee, the likely result is a serious shadowing affect on any critical commentary by any of us and the diminished exchange of ideas essential to effect quality assurance for the taxpayer.

In the interest of full transparency, I have provided all the documents, including the full complaint and response relevant to the issue to my colleagues. Thank you.

CHAIRMAN PHILLIPS: Thank you, Anne.

We'll move to our next agenda item, which -- pardon me?
Okay, I'm continuing to get messages that the back can't hear, so let's do a test check, back row. Yes? Okay. So, the guesstimate is about between 6 and 8 inches from the mike here, and the back row if you find yourselves with difficulty, I'll keep an eye out for raised hands again. Thank you for alerting us to this.

Just an overview of our meeting agenda and consent agenda procedures, a special thanks to Carol Griffiths for her leadership in developing the meeting agenda and also the policy work that will follow. A reminder to all to press your mike and speak within eight inches to speak, if you could also include your name before you speak it will help the recording of who is speaking when.

We begin today with our consent agenda. I am personally recused on one of these agencies, and so we'll turn the gavel over to Vice Chair Art Keiser. I understand that there are additional recusals with Arthur Rothkopf and John Etchemendy, and so we will have a short mass exodus, and Art Keiser will take up this agenda item.
MR. KEISER: Thank you, Madame Chair.

Our job now is to review and to approve the consent agenda. Are there any agencies -- well, let me read the agencies that are to be considered, the Academy of Nutrition and Dietetics, the Middle State Commission on Higher Education, the New York State Board of Regents and the Commissioner of Education, the Oklahoma Department of Career and Technology Education, The Western Association of Schools and Colleges.

Yes, Jill?

MS. DERBY: Yes, I wanted to make sure we have -- with the recusal do we have a quorum?

MS. GRIFFITHS: The quorum is necessary to initiate the meeting, and we're quite fine now.

MR. KEISER: Is there any member who would like to remove one of the agencies from the consent agenda?

If not, is there any oral testimony concerning any of these agencies? Carol?

Considering no discussion, is there a
motion to approve the consent agenda?

MR. ZARAGOZA: I so move.

MR. KEISER: Federico made the motion. Is there a second?

DR. PEPICELLO: Second.

MR. KEISER: Bill's made the second. Any further discussion?

Hearing none, all in favor of the motion signify by saying aye.

(Chorus of Ayes.)

MR. KEISER: Any opposed.

(No response.)

MR. KEISER: The motion carries. We have taken care of the consent agenda, and we can call the rest of the members back into the room. Thank you very much.

Consent Agenda MOTION
(Pause.)

CHAIRMAN PHILLIPS: Thank you Art.

The next item on our agenda is a review of accreditation agencies. Our standard procedures for the review of an agency under consideration includes the introduction of the agency petition by the primary committee reader, a briefing by the Department staff, remarks by the agency representative, presentations by third-party commenters, agency response to third-party commenters, Department response to third-party commenters, and then ultimately the Committee discussion and vote.

We'll follow that procedure for the agency before us, which is the American Veterinary Association Council on Education, AVMACOE. The action for consideration is recognition based on a compliance report.

The primary readers for this agency are Federico Zaragoza and William Pepicello, and we'll turn it over to the primary readers for their introduction.
MR. PEPICELLO: Thank you. This is Bill Pepicello. The American Veterinary Association was formed in 1863 to recognize the Veterinary medical profession in the United States.

It began accrediting schools of veterinary medicine in 1906 through its Committee on Intelligence and Education, now the Council on Education. And in 1946, it was reorganized for that purpose.

This is a programmatic accrediting agency that currently accredits 28 schools of veterinary medicine located in regionally accredited universities. These programs use the agency's accreditation to participate in the Health Profession Student Loan Program administered to the U.S. Department of Health and Human Services, and recognition of the agency does not enable its programs to seek eligibility to participate in Title IV funding programs.

The Council on Education was on the Commission of Education's first list of nationally-recognized accrediting agencies published
in 1952 and has periodically been approved since that time. The COE was last reviewed for recognition in December of 2012, and at that time the senior department official required the agency to come into compliance within 12 months and submit a compliance report that demonstrates the agency's compliance with the issues identified in that staff analysis. And the agency's compliance report is the subject of this analysis today.

CHAIRMAN PHILLIPS: Thank you. For the Department staff, Dr. Jennifer Hong.

MS. HONG: Thank you. Good morning Madame Chair and Committee members.

My name is Jennifer Hong, and I'll be providing a summary of the staff recommendation for the American Veterinary Medical Association Council on Education.

The staff recommendation to the senior Department official is to grant the agency an extension of its recognition for good cause for a period of six months and require the agency to submit a compliance report demonstrating its compliance with
the cited criteria within 30 days of expiration of
the six-month period with reconsideration of
recognition status thereafter, including review of
the compliance report and appearance by the agency at
a NACIQI meeting to be designated by the Department.

Further, regarding the new finding under
602.16, continue the agency's recognition and require
the agency to come into compliance within 12 months,
and submit a compliance report that demonstrates the
agency's compliance with wide acceptance among
practitioners.

This recommendation is based on our review
of the agency's compliance report and supporting
documentation. The outstanding issues in the staff
analysis require the agency to demonstrate wide
acceptance among educators and practitioners. The
agency must also ensure that it has and applies the
compliance student achievement standard as well as
compliant written policies for a systematic program
review and revision of standards.

The Department has received over 900
written comments regarding the agency's compliance
report, and there are oral commenters prepared to testify here today. Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

We'd invite the representatives of the agency to join us at the front table.

(Pause.)

CHAIRMAN PHILLIPS: Good morning and welcome. If you could introduce yourselves and then speak.

DR. DERKSEN: Good morning. I'm Fred Derksen, and I have been a member of the Council of Education for the past five and a half years, and currently I serve as the chair of the council.

I'm a professor at Michigan State University, and I'm also chair of the Department of Food Science and Human Nutrition there. With me today is Dr. John Pascoe. Dr. Pascoe is a member of the council, and the Executive Associate Dean of the University of California/Davis School of Veterinary Medicine. Dr. Karen Brandt, who's the Director of Education and Research Division of the AVMA, and she provides the staff support for the council, and then
Dr. David Granstrom, who is Associate Executive Vice President of the AVMA and a former Director of Education/Research Division there.

So, on behalf of the AVMA Council on Education and the Veterinary Colleges that it accredits, we'd like to thank you for the opportunity to appear before you today and we appreciate the thorough review of the agency.

We also would like to thank Dr. Jennifer Hong here, the USDE staff analysis, for her assistance and guidance of the development and submission of our compliance report.

The Council remains dedicated to ensure that veterinary colleges are providing students with a high quality education to meet the needs of the profession and society.

As noted in the staff report, the Department found that the Council is in full compliance with all of their recognition requirements, except for 6 of 013, 602.16, 602.21(A) and (B), and 602.21(C), and we're looking forward to working with staff to address the remaining
compliance items.

So, with regard to compliance with Section 602.13 and 602.21, I can state unequivocally that the Council believes that the broad stakeholder input is essential in order to assure that the standards of accreditation retain their relevancy, and responsiveness to contemporary, professional needs.

The Council's current and planned efforts to engage all of its various constituencies will provide ample and meaningful opportunity for input from all stakeholders. We readily accept the guidance provided by Dr. Hong and have begun development of an additional completely open process to collect, consider, and act on stakeholder input.

The Council is committed to working with its many constituencies and will update its policies accordingly to reflect its practices and document all results.

Regarding compliance with Section 602.16, it is important to note that Council utilizes a number of outcome measures to assess student attainment of the basic scientific knowledge and
skills required to function as an entry-level veterinarian at the time of graduation.

This includes direct faculty assessment with individual student achievement of the nine clinical competencies, graduate preparedness surveys and employer surveys in addition to the graduate pass rate on the North American Veterinary Licensing Examination, or NAVLE, when available. Successful completion of the NAVLE is required by state and provincial veterinary licensing boards to obtain a license to practice veterinary medicine in the United States and Canada.

Placement and course completion data from each college are collected yearly in interim reports to identify any negative trends; however, placement rates and course completion rates are consistently very high among accredited veterinary schools, which lead the Council to consider other criteria in addition to these important measures.

Based on this consistently high rate and on the very negative stakeholder feedback when threshold levels were proposed, the Council concluded
that use of placement and attrition metrics in the context of trends would provide valuable input in addition, of course, to employing the other methods of accessing program quality that I mentioned earlier.

The Council looks forward to working with USDE staff to improve its assessment process in full compliance with the recognition guidelines.

Now, third-party commenters have raised concerns that the standards are not applied consistently across schools. I assure you that the Council takes great care to ensure that the standards are applied in this same manner to all institutions, regardless of location. The new site visit rubric developed in response to USDE guidance ensures that every aspect of each standard is considered by trained site visitors who are not members of the Council.

The rubric includes guidance on the interpretation and application of each standard. It is clear and important to recognize that some schools meet the standards at a minimum level, while others
may far exceed the standards; nonetheless, the standards are applied in the same manner for all schools.

The Council through a process of comprehensive review and continuous quality improvement in the institution it accredits as well as its own processes and procedures. We believe that all four remaining criteria can be satisfactorily address in order to come in full compliance with the recognition requirements in the time recommended by Dr. Hong.

Thank you again for the opportunity to testify before this Committee.

CHAIRMAN PHILLIPS: Thank you.

Committee members, any questions at this point of the agency? Art Keiser.

MR. KEISER: Obviously, there is something to get 900 concerns and complaints that came to us. It's very extraordinary to have this number. Obviously, there's a political involvement here, some kind of internal politics. Could you explain what the division is within the profession that would
DR. DERKSEN: There are several issues that raised concern in the veterinary profession. The first one is the distributive model of veterinary education. So, classically, veterinary schools have had a teaching hospital on campus, and so most of those are placed at land grant universities, and that was sort of the classical method of education.

So more recently, there's been schools that developed a distributive model where they don't have a veterinary teaching hospital, but instead use practices in various places to give the clinical training. Of course, this model has been utilized commonly in human education at Michigan State University, where I'm from. We have two medical schools, human medicine and CPAP, both are highly rated for training primary care physicians, and of course, they use the distributive model. Some people feel that that is not an appropriate model of training veterinarians.

This second issue relates to foreign accreditation. And some people feel that foreign
accreditation should not be part of our mandate. Well, this is a discussion that has taken place inside the profession broadly. There's been a lot of talk about it. The AVMA has had petitions at their forum. There have been votes on this. And after lots of discussion, the vote on this issue has been 80 percent of the profession supporting foreign accreditation, 20 percent opposed. 

And so the final issue that -- you asked me what I think the issues are. What I believe is a confounding issue is the workforce issue, which is not part of accreditation, but there are a number of veterinarians out there that feel there are too many veterinarians out there depressing the income of veterinarian. And they believe that by accrediting additional schools there are going to be many more veterinarians out there creating a workforce issue. And again, we all understand this is not part of accreditation, but some of the petitioners do not understand that.

MR. KEISER: Thank you.

CHAIRMAN PHILLIPS: Federico.
DR. FEDERICO ZARAGOZA: Good morning. My name is Federico Zaragoza. I'm also one of the reviewers.

I first want to commend you for the amount of work, and obviously for addressing many of the issues that were initially raised in the previous review of your organization. You know, my sense is that on 602.13 it appears much progress has been made working with the education community and certainly with the institutions, but we don't see the same kind of progress with the petitioners, and so I'd like to know a little bit more about what it is you're doing to address that particular stakeholder group?

The other area that I wanted some clarification on is that you cite your engagement with foreign certification, and yet, your scope is limited to U.S. institutions. So, I'd like to hear what the rational on that is. And then, thirdly, obviously, staff of the Department did raise some issues related to their concern over financial assistance being available under the foreign accreditation component and what your practice has
been as it relates to that point as well.

DR. DERKSEN: Regarding broad acceptance by practitioners, I think we've not done a good enough job communicating with practitioners about accreditation issues and this is something that we want to address. There had been attempts to do this. There had been forums organized by the AVMA on this regard. We send out a stratified, random sample survey to 5,200 practitioners, 2,400 veterinary educators, 1,700 four-year veterinary students as well as deans of all veterinary schools and presidents of all state veterinary medical associations as part of a systematic review of standards.

We review the standards annually, four at a time, make recommendations for change. They go out for public comment. Public comments and we look at those comments before we make permanent changes. There's an AVMA website that allows input. There's an email address. Anybody is free to write comments. There's a number of mechanisms in place where stakeholders can give input. We're planning to do
more. For example, a survey that anybody can take on accreditation issues and then I think we need to do more in terms of informing practitioners about accreditation and how it's done.

Staff, is there additional things I need to mention on this?

DR. ZARAGOZA: The second question that I had asked had to do with the foreign accreditation while your scope limits you to the United States institutions.

DR. GRANSTROM: I don't completely understand that question really. My understanding that the -- go ahead.

DR. HONG: Let me clarify that. The agency's foreign accreditations are outside the scope of this recognition review; however, I was pointing out -- the Department pointed out in the analysis that, forthcoming, the Department will be reviewing foreign veterinary accreditors for Title IV purposes. So, while it might be outside the scope of this review, you know, just kind of flagging the agency that the Department will be reviewing its foreign
accreditation as well for Title IV.

DR. GRANDSTROM: Thank you for that clarification.

CHAIRMAN PHILLIPS: Dr. Pepicello.

DR. PEPICELLO: Actually, my question is for Jennifer. Are we at that point?

Yes, I'd just like to get a little bit of the rational for the recommendation that the staff made because it's one of the more complex recommendations, at the least that I've seen here in that it bifurcates some issues to a six-month timeline and another one to a 12-month finding. And so my question is going to be as complex as the recommendation. I apologize.

In this case, the extension of recognition is recommendation for good cause, and I would like to get your take on 'for good cause" is here in that the issues that were put on a six-month timeline are ones that, at least according to the letter of the Secretary, were due to meet compliance by February 14 or February 11, rather, of 2014. And we're approaching a year from that date, and why we would
think that six months is sufficient for those to come into compliance and then why 12 months for the new finding? And in particular, I would like to ask what your take is -- what the take was on the student achievement issue since that, to me, is the most worrisome thing that was not really remediated to this point.

DR. HONG: Just to state it simply, the six-month extension are for those issues that remain unresolved, and the non-compliance regarding the wide acceptance for practitioners was just cited on this report. So, to give the agency its due process, we wanted to provide the maximum time allowed, which is for 12 months to come back with a compliance report on that one issue.

The remaining issues, however, we're recommending a grant for extension of good cause, given that the agency originally had 14 findings and they were able to resolve 10 of them. The agency has reached out me, and we've been providing ongoing guidance. They have been acting in good faith, so while there is significant work ahead of them, we
believe that they can remedy the remaining non-compliance issues so long as they reach out to their stakeholders and do some revision to their policies.

As far as their student achievement standard does require some revision, and they also need to provide some documentation to us so that we can understand how they review completion and placement rates, so we've had extensive conversations about that and they seem to have some ideas about how they'll approach it and approach the language of their standard.

The point that many of their programs have high placement and completion rates is well taken, but we want to ensure that their standard is sufficiently rigorous in cases where program might have low completion rates how do they analysis those and at what point is it a non-compliance issue for them.

DR. PEPICELLO: Thank you. And just a quick follow up on that, and certainly I do want to acknowledge the fact that great progress was made
since the last report. But given the fact that there were still unresolved issues and a new one that arose, was there any discussion about possibly placing any limitation on the agency until compliance was achieved?

DR. HONG: No. I mean we didn't discuss that route. I mean, certainly, we were concerned regarding the volume and the substance of the comments, the negative comments; however, we also wanted to take into account the timing and the implementation.

For example, in conversations with the agency, they have made some changes since the petition was last issued. For example, they talked about a site visit rubric that they developed and have implemented. And those kinds of things take time to ripple through the community, so we weren't sure if -- it was hard to know without hearing from the commenters today whether they felt in a real way some of the changes that the agency has implemented.

Another major change for them was to address allegations from the community that it was an
insular, kind of non-transparent process. And throughout the draft analysis they have made changes to make their processes more transparent. And again, we don't -- the answer is no. I mean we didn't discuss any limitation to the agency's scope.

DR. PEPICELLO: Okay. Thank you very much.

CHAIRMAN PHILLIPS: Herman and then Simon.

Again, this is questions for the agency or for the staff.

MR. BANDS: Yes, I just wanted to reiterate what Jennifer said. We worked with this long and hard every step of the way, and we've had some good conversations with the agency. And as Jennifer said, they have taken some steps to correct some policies. And I just want to reiterate it is going to take some time to establish some of these processes. If they hadn't taken any steps or had not made any of the changes that we thought should be implemented, then it may be a different story. But we think that they did that and now we need to give them some time to work that out.
The last thing I want to say is the six-month extension for good cause is basically standard practice. If you would look back in a lot of the analysis or the staff recommendations, we've always given the six-month extension for good cause. And then, as Jennifer said, the new finding would get the full 12 months for them to come into compliance.

CHAIRMAN PHILLIPS: Simon Boehme.

MR. BOEHME: Great. Thank you so much for coming.

And I'm reading from the report here that a lot of these commenters, and presumably, we'll hear similar remarks from third-party comments, is that they accuse the organization that standards are vague, inconsistently enforced, and deliberately weakened to justify retrospectively the accreditation of substandard schools.

So, those are obviously pretty strong remarks, and I'm wondering where they're getting -- third-party commenters are getting this from? Are they making this up? Is this simply not true? Was this the case, but it's not the case any more, or do
you admit that the standards are vague and inconsistently enforced and so on?

DR. DERKSEN: I've been on the accreditation process from both sides. Michigan State Veterinary School was accredited and I was in charge of preparing for the site visits and for the accreditation process; and I'm now on the Council for five and a half years. And I believe that the standards are very clear, and I think you'll hear that from a number of third-party commenters that are here, deans of veterinary schools that have gone through the process.

I don't know how you can make them more transparent by publishing them, talking about changes that we hope to make, giving people an opportunity to comment, and the reviewing those comments before we make any changes, and in addition to more holistic reviews of the standards.

So, you're asking me why I think these comments are made about inconsistent application of standards, and I think there are two reasons for that. One has to do with the distributive model.
And again, some people believe that the distributive model of veterinary education is not at the same standard that the education that is provided at land grant universities like Michigan State or Cornell or USC-Davis University and therefore the standards must be applied in a different manner to those schools. I don't agree.

I've been on site visits to schools that have a distributive model. I've been in the education business for longer than I can remember, over 30 years, and it is a new approach for me too when I first saw it; but I'm convinced that the distributive model of veterinary education can be done very, very well. I assume it could be done poorly as well, but if that was done poorly we wouldn't accredit them.

So, that's the one concern that I see people worry about, and the other is the research standards. And again, the research standard says something like it has to be a substantial research program of high quality that's integrated with the veterinary education process. And classically, at
land grant universities there is a huge research program. You look at the schools I mentioned earlier, you know they have very large research programs and so those programs are well integrated with the educational process.

And commonly, but not always, commonly the distributive schools have less of a sizable research program, but the Council, through the peer review process, has looked at those research programs, felt that they were definitely of high quality and well integrated with the educational process.

And so while those research programs may be lesser in size than the classical programs in land grant universities, we believe -- the Council believes that they meet the standards. And I think that's the second controversy that leads some people to believe that we're not applying that particular research standard consistently.

So, to say it in another way, and I said it in my testimony, some schools far exceed the standard. So, they may have research programs that are way larger than needed to effectively integrate
with the educational program of a veterinary student while other schools don't exceed that standard that much and so they meet the minimal standards. But again, the standard research standard is applied consistently throughout those schools.

MR. BOEHME: Thank you.

CHAIRMAN PHILLIPS: Thank you. Anne Neal.

MS. NEAL: Well, thank you for coming. And I want to ask you a few questions with an eye to what we're going to be discussing this afternoon.

As I hear you, and it's not the first time, the regulation that deals with acceptance, broad acceptance by practitioners seems often to be utilized as a sword by others that may differ with your educational philosophy or even with what's playing out in the marketplace, and I just wanted to get your reaction to that as my first question.

DR. DERKSEN: Yes, I think that's absolutely right. There are opinion leaders in the profession that really oppose what we do. And again, particularly, related to the distributive model and accrediting schools that don't have a huge research
program like land grants do. And so that, I believe, has been confounded with an economic concern into the profession.

As you probably know, veterinarians are relatively lowly paid relative to other professions, and so this is a concern. And so by confounding those two issues, I think that a lot of practitioners have come to believe that the reason that their economic well being isn't where they'd like it to be has something to do with accreditation, and that's maybe the level at which they understand this or really misunderstand this. So, I agree with the premise of your question.

MS. NEAL: Just a follow up to that, would your petition, as with all of the petitions that I've looked at this time around, I always have this frustration that after reading pages upon pages I have little perspective on really what the student achievement has been.

So, as I understand it, you have 28 schools of veterinary medicine that you accredit. And as you look at that universe, what is your
passage -- what is the passage rate or what are the
objective indicia of student achievement that you
could cite back to me? Are 90 percent of the
graduates of these schools passing the licensure? I
mean I'm just trying to get a sense of if I looked at
those 28 schools what would you say in terms of their
student achievement?

DR. DERKSEN: Yes, so all of veterinary
schools that we accredit have passing rates over 90
percent. And so, when it comes to student placement
rates, similarly, one year out all veterinary schools
that we accredit have placement rates over 90
percent. Attrition rates, if you look at attrition
rates none of the veterinary schools that we accredit
have attrition rates over 4 percent. So, those
metrics clearly are not discriminatory.

They don't tell you much about the quality
of one school versus another. So, that's why, maybe
naively, we have thought that these metrics should be
looked at in terms of trends, meaning that if the
school -- and this has not happened in the history of
the Council, as far as I know, but suppose that the
placement rates go down, then that's something that we need to flag and address. And think correctly the criticism has been, well, what's a significant decrease? You really need to put a number on this, and this is what I think we need to do is put a number on it.

DR. GRANTSTROM: Can I make one clarification? On attrition, of course, completion on the average is 2 to 4 percent. There may be one or two that are higher or lower. It's an average. But the Council looks at those on their interim reports every year. If anyone's in trouble, they can ask for reports in three months or six months, and then that happens as well on anything, not just placement or course completion rate.

There was one more thing, but I don't remember it.

CHAIRMAN PHILLIPS: Dr. Rothkopf.

DR. ROTHKOPF: Yes, Arthur Rothkopf. And I may have missed it in the materials, which I confess not -- to have reviewed, but not studied.

What's the situation with the foreign veterinary
schools? How many of them are there? What percentage of the universe of your graduates are represented, and I say each year without going back, obviously, of the total -- you know, going back for years they didn't have many of those and so therefore they're more current, and what percentage of graduates are there, and how do they do if you were to look at licensure, job placement, et cetera. And so what's the percentage of graduates out there? How are they doing compared to the graduates of the domestic schools? And I guess I'd have the question is there -- you don't need a separate accrediting body?

I know we have a sister organization that Carol manages dealing with foreign medical schools. Are you all part of that, or not, so a series of questions about the foreign institutions.

DR. DERKSEN: Let me start to try to answer these questions and get some help from staff on this one.

So, I believe there are 13, is that right, 14 foreign veterinary schools that we accredit. In
the beginning, a foreign veterinary school asked if
they could be accredited by us, and through a process
of this discussion within the profession we agreed to
do that. So, we don't elicit requests for
accreditation.

The Council felt that by accrediting
foreign veterinary schools we would set a bar for
veterinary education worldwide, which, of course, has
huge implications, not just for companion animals,
but from my perspective, coming from a food/animal
background, for food safety and human health; and so
this has evolved into the situation where there's 14
veterinary schools that have applied for and have
been accredited. These are very best veterinary
schools in the world. There's lots of others that
would like to be accredited, but don't meet the
standards.

When it comes to the student outcomes
assessments, we use exactly the same standards as we
do for domestic schools, and so placement rates,
attrition rates. Placement rates are very high.
Attrition rates a very low. Some of those students,
foreign students take the NAVLE, the licensing examination here. They pass them at the same rate as North American students do. So, by any measure that we use their outcomes are as good as any other veterinary school in North America.

Any other comments on that?

DR. ROTHKOPF: May I ask, do they -- I assume they're worldwide. They're not, you know, located in one geographic area. Do the graduates practice veterinary medicine in the United States? Is that why they're doing that, and are these Americans who are going there, in part, because they may not get accepted to the schools here in the United States? But let's assume you have one in Italy somewhere, hypothetically, Milan, Italy, then practice in Italy or does he or she come to the United States?

I'm just trying to get a handle on who all these people are who are graduating and do you count their licensure passing for Italy or not?

DR. DERSKEN: Right. So, the motivation for seeking accreditation by foreign veterinary
schools is really twofold. One, they want to point at reaching a bar, a standard that's considered the best standard in the world, and that's the Council on Education accreditation. And so, there are schools that do that and have no students that take the NAVLE, and so, therefore, could not practice in the United States.

There're others that accept American students as students of their institutions. And so those students then want to come back to the United States, so these are Americans going there, getting the education free of taxpayer support of the United States, by the way, then come back, take the NAVLE and then are licensed to practice as long as they, of course, graduate from the Council on Education accredited school.

So, those are the two motivations. And then again, the standards, the student outcomes that they achieve are indistinguishable from the veterinary schools in North America.

DR. PASCOE: There are parallel processes to human medicine for licensing veterinarians to
practice in the United States if they do not graduate from a COE-accredited school. So, I think that was part of your question as well. So, there is a parallel process.

DR. DERKSEN: One more thing I would like to add is there's a great benefit to the Council for accrediting foreign veterinary schools because we do that in conjunction with international accreditors. For example, in England VDD, Royal Veterinary College is an accrediting agency. The Australian is an accrediting agency. And often, we do the accrediting process, using COE standards, but in combination.

And I've been on these foreign site visits, and what I've felt is that we can all learn from one another. And so best practices are discussed and really discovered by this common accreditation process, and we bring that back here to improve our process. So, the Council, and really the profession, through lots of discussion and votes, by an 80 percent margin feel that this is a win/win for everybody.

DR. ROTHKOPF: And maybe my final
question, which I guess you haven't answered, maybe
Carol can talk to it. What about this foreign
medical school process? Does that apply to you all,
or is that just for medical schools?

MS. GRIFFITHS: I want to turn that over
to Herman Bonds because the accreditation group and
Herman are developing something along those lines.

MR. BOUNDS: Really quickly, just to
answer your questions, due to some new regulatory
changes that happened last year, all accreditors of
all foreign veterinary schools have to be determined
acceptable for U.S. students attending those programs
to receive Title IV funds. So, the Accreditation
Group was tasked with developing a set of criteria to
review those foreign veterinary accreditors.

They have to be deemed acceptable by 15
July. That will then also require the AVMA to
address those standards for the foreign schools that
they also accredit, so there's no overlooking them.
So, any accreditor of foreign, veterinary medicine
will have to apply these standards. There's no
operational committee for that. The Accreditation
Group designed the criteria based on standards from a couple of the organizations, and we looked at some of the foreign medical criteria, and once that begins, those accreditors then will be reviewed every six years.

DR. ROTHKOPF: Thank you. I guess I understand it.

DR. PASCOE: We're aware of the change that's coming. And as we've stated in the submission, we do everything exactly the same way regardless of location. So, hopefully -- I haven't seen the criteria -- we won't be out of sync. And to supplement what Dr. Derksen said, we're part of an international accreditors working group and we meet, not even once a year, but it's approaching that. And it's interesting that the changes that staff recommended in the development of our new rubric has been readily accepted.

As Dr. Derksen said, when we go on almost all of our foreign site visits now are joint with the Royal College of Veterinary Surgeons and the Australian and Great Britain Council. This
represents accreditation of all of the schools in Great Britain and the schools in Australia and New Zealand. There's only one in New Zealand. So, we work together.

And as an observer in that is a group called EVE, which is the counterpart of our AAVMC here in the United States, the Association of American Veterinary Colleges, they have an evaluation, a peer review process that they use as well, and they participate in this too. So, that's all the schools in Europe.

So, you asked earlier where we are accrediting, so we have schools in England and Scotland and Ireland, the Utrecht Netherlands. We have two Caribbean schools, offshore schools that's also a part of the consternation that we referred to earlier, and Unam in Mexico City, and then several schools in Australia and the one in New Zealand. And the latest one was Leona in France, the first veterinary school in the world 250 years ago last year.

CHAIRMAN PHILLIPS: Further questions of
the staff or the agency at this point?

Thank you for joining us. We'll move now to the third-party commenters. I have 16 people who have signed up in advance, and another three who have signed up at registration.

Back of the room, can you hear okay?
Okay. Thank you.

Our procedures for the third-party comment will be to invite each person in turn up to the table. I'll tell you who is going to be invited up next so that you can be ready. You'll have three minutes to speak, and I will try to keep you to that without being rude. We'll have an opportunity, as Committee members to ask any questions of the speaker that we might have, and then we'll move to the next speaker.

So, with that in mind, our first speaker, commenter is Shelia W. Allen, and on deck would be Trevor Ames.

Good morning, Dr. Allen. You have to press the button so that the red is on, and observe the eight-inch rule.
Good morning. My name is Shelia Allen. I am honored to serve as Dean of the College of Veterinary Medicine at the University of Georgia for the last 10 years. I have my bachelor's and my DVM from Cornell University, and I'm a board certified surgeon.

As part of being dean, I served eight years as Associate Dean for Academic Affairs, and before that on the faculty, so my entire 33-year career is devoted to veterinary education.

I served on the Council on Education for six years, ending in 2013. And during that service, I participated in multiple site visits, both in the U.S. and abroad. So, I do have direct experience and knowledge regarding the activities of the Council.

I wish to thank the Committee for the constructive feedback given to the COE. A number of substantive changes have been made that improved our policies and procedures. The changes include the development and implementation of the rubric used by site visitors to assess and document compliance with
all standards. The results in the report provide
detailed evidence of compliance that the Council can
review when making decisions.

Having well trained site visitors conduct
these visits rather than current Council members has
eliminated the risk of bias in decision making. The
Council now conducts a precise analysis of licensing
exam results and requires reporting of placement of
graduates to more clearly document student
achievement. These and other changes that have been
implemented have made the process better.

The Council also had collected and
carefully considered the input of its stakeholders.
The new manner of selection of Council members was
established in response to these suggestions. The
selection should be done by a committee based on the
qualifications rather than by election, and the new
method has met that mission.

We now have half of the members selected
by a committee within the AMVA and the other half by
a committee of the AAVMC, modeled after that
practiced by the LCME, as recommended by our
Another concerned voiced by veterinarians is whether the Council should evaluate schools outside the U.S. The Council has been evaluating schools outside the U.S. for over 40 years; nevertheless, in response to the concerns recently voiced about that practice, accreditation of international schools was openly debated in the AVMA House of Delegates. This is a body of individuals representing the entire country and representing all factions of veterinary medicine. As mentioned earlier, 80 percent of the membership voted in favor of endorsing this practice.

Other concerns raised by veterinarians include the use of the distributive model and problem-based learning. These methods have been successfully employed for decades in veterinary and human medicine. The schools that employ these methods provide clear evidence of student achievement, documenting the effectiveness of these models of education. Those who oppose these methods have provided no evidence to the contrary.
I believe the COE's recognition of these models reflects the acceptance of innovation while enforcing rigor, which was highlighted in the opening remarks.

Schools seeking accreditation have been given very clear criteria by which the quality of research programs will be judged. More importantly, schools must document the research enterprise that am I done?

CHAIRMAN PHILLIPS: Please finish.

DR. ALLEN: All right. I'm finishing.

Finally, during my six years on the Council, and during my 18 years as a veterinary college administrator, at no point have a perceived an attempt on the part of the AVMA or the AAVMC to influence the activities or the decisions of the Council.

I encourage the Committee to recognize the Council as the accrediting agency for veterinary medicine. The educational community appreciates the feedback given, and the Council has responded to the concerns and recommendations in a substantive manner.
Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

Any questions of the Committee of this speaker?

Thank you for joining us.

Our next commenter is Trevor Ames with Eric Bregman on deck.

Thank you for joining us.

DR. AMES: Good morning. My name is Trevor Ames, and I am the Dean of the University of Minnesota College of Veterinary Medicine. I'm a professor of internal medicine and infectious disease researcher, and I'm board certified by the American College of Veterinary Internal Medicine. And I'm privileged to serve this year as the president of the Association of American Veterinary Medical Colleges or AAVMC.

The AAVMC, as was mentioned earlier, represents all of the 35 veterinary medical colleges in the United States and Canada, as well as 14 international colleges of veterinary medicine, all of which are accredited by the Council on Education.

The AAVMC supports the COE as a recognized
accrediting agency for the professional veterinary medical programs. The COE is broadly accepted throughout the educational community and widely recognized as the most appropriate accrediting agency in academic veterinary medicine. In fact, 26 of the 30 U.S. colleges wrote in support of the COE and none wrote in opposition.

Following USDE hearings in December of 2012, the Department made several recommendations. The COE has responded to those recommendations and has taken action to assure it remains in strategic alignment with the changing needs of the profession and the society its serves.

Specifically, the selection process for COE members has been changed so that eight members representing the practitioner community and eight members representing the academic community are appointed by the AAVMC selection committee and the AAVMA selection committees.

Both the AAVMA and AAVMC have established a nomination and selection process that includes a thorough review of the candidate's credentials to
assure that the COE members have the necessary qualifications and experience to serve on the Council. We believe the composition of the Council, which includes practicing veterinarians, veterinary academician, three public members who are not veterinarians provides a broad perspective, promotes reason discourse, and results in carefully considered decisions regarding the accreditation of veterinary colleges without political influence.

In April of 2014, the University of Minnesota College of Veterinary Medicine went through a formal, four and a half day accreditation review and site visit. The review process was extremely thorough and detailed with significant changes made since the last accreditation review and site team visit. We were notified recently that our accreditation has been renewed for another seven years.

Overall, we felt that the site team was well informed by our self study and followed a clear and transparent process that was reflected by the evaluation rubric that we received.
As a result of our recent accreditation review, I've informed the Minnesota Veterinary Medical Association on the details of the process, and I was pleased to see that they've provide the USDE with a letter of support for the COE and its accreditation process.

In conclusion, the AAVMC and its' members fully support the COE. The present accreditation system is a standards driven, evidence-based process. The COE is constantly evolving to meet the changing needs of the veterinary medical profession.

And we are confident that the COE operates freely and independently of undue influences asserted by the AVMA, the AAVMC, or any other elements that would detract from the COE's mission to serve the public interest, remained convinced that the existing system supports this process with integrity, effectiveness, and fidelity to the highest standards of public service.

Thank you for this opportunity to present this morning.

CHAIRMAN PHILLIPS: Thank you very much.
Committee members, any questions for this speaker?

DR. AMES: Thank you.

CHAIRMAN PHILLIPS: Thank you for joining us. Our next commenter invited forward is Eric Bregman with Nancy O. Brown to follow.

DR. BREGMAN: Good morning. My name is Dr. Eric Bregman. I am a practitioner and past president of the New York State Veterinary Medical Society, and I currently chair the society's committee on veterinary accreditation. I was also a member of the AVMA's taskforce on foreign veterinary school accreditation. As such, I feel I am familiar with the issues and controversy surrounding foreign and domestic school accreditation, and I welcome this opportunity to share my concerns.

To begin, I believe the AVMA executive board and House of Delegates had no authority to direct the supposedly autonomous agency to continue accrediting foreign veterinary schools. I believe that this is an unnecessary expenditure of time and energy that could be better used in strengthening the
dysfunctional accreditation process for our North American schools.

Currently, the agency accredits approximately 48 schools worldwide. Even with a skilled interpreter, the ability of the agency members to evaluate a curriculum presented in a foreign language is highly questionable. And even if the curriculum is offered in English, agency members are sorely challenged to evaluate unfamiliar curriculum models, cultures, and value systems.

I fail to understand how foreign schools can comply with Council Standard 7 on pre-veterinary education since most foreign students enter veterinary school directly out of high school. I do not believe that foreign graduates are equipped to meet our country's societal needs without knowledge of or training in the diseases that are unique to North America.

Further, I find it inexcusable that graduates of foreign veterinary schools accredited by the agency are not required to take the North American veterinary medical licensing exam to
maintain those institutions accreditation, even though this is an exam that is designed to identify minimally competent, entry level graduate.

It also troubles me that the high pass rate on this test is currently the only available objective metric of a graduate's knowledge and understanding and slanted as evidence of quality. Veterinary medicine is approaching a watershed moment in large measure because I feel the accreditation process is broken. Standards have been weakened and comply with confounding inconsistency, resulting in the accreditation and continuing proliferation of substandard schools.

I believe the relationship between the agency and the association, including how agency members are selected, is rightfully perceived in actual cronyism and conflicts of interest. The Association of American Veterinary Medical Colleges are now responsible for selecting half the agency members and is also perceived by many as susceptible to conflicts of interests because they are free to choose fellow deans or their own faculty to fill
those agency seats.

This, in my opinion, is a conflict of interest, owing to the small number of veterinary deans only 28. In my opinion, no dean should be eligible to serve on the Council because they would be evaluating each other's schools.

In closing, I urge you to recommend withhold agency recognition until the quality and integrity of the accreditation process is ensured by granting the agency its own budget, staff, and legal counsel, and creating an impenetrable firewall between the agency and its sponsoring organization.

Thank you for your time. It's most appreciated.

CHAIRMAN PHILLIPS: Thanks you very much.

Committee members, do you have any questions for this speaker?

DR. ROTHKOPF: You made a number of allegations. Do you have the evidence because I've been reading the letters that -- I didn't read all of them I have to tell you, but I read many of the letters. I'd say over 50. And they were all allegations rather than evidentiary documents that
would allow us to deviate from the recommendation of our staff.

What evidence do you have that either the accreditation of the foreign medical schools as being substandard or the cronyism that you're alleging in the selection process of commissioners is having a negative affect?

DR. BREGMAN: I'm speaking as a practitioner. I'm fairly active in organized veterinary medicine and interact with practitioners all over New York State and all over the country. And part of the issue is the lack of available information in this process.

I understand there must be a certain level of confidentiality, but as a practitioner when I evaluate, for example, the accreditation of a foreign veterinary school, who's graduates can come to this country and practice with the only requirement of passing the NAVLI, I would be concerned as to why those institutions are not required to maintain an 80 percent pass rate while domestic schools are. So, those, to me, appear to be different standards.
Comments from the Council on Education are that those are not high stake tests for those foreign institutions, and I would submit well then they should be high stake tests for those institutions to have some objective measure that the standards are being applied evenly and consistently.

DR. ROTHKOPF: Now, what you just said is very different than what was said just a few minutes ago where the standards for all institutions are the same. And you have evidence that there is a differentiation between what you term as 'substandard" versus those that are standard because that is not what we heard in the testimony.

DR. BREGMAN: Well, I think, as I look at the situation the 11 standards of accreditation are, to me, one of the most important parts of the process. There is -- and again, as a practitioner, there is the appearance that those standards are continually massaged to meet the needs of the schools that are seeking out accreditation. Whether that is changing, how the determination of research standards are changing, whether an institution is required to
be part of an institution of higher learning, whether
those students are required to have some type of
pre-program background education, this is the biggest
problem that, as practitioners, we see.

DR. ROTHKOPF: Well, it is important that
there is skepticism; do you have evidence that, you
know, the minimum standards established by the
Commission and by the profession are not being
enforced?

DR. BREGMAN: I am not a site visitor. There will be folks speaking today who have done
that. They are going to be better, sir, to answer
that question than I am. Thank you. Appreciate it.

CHAIRMAN PHILLIPS: Other Committee
members. Anne Neal.

MS. NEAL: Just a follow up on your
allegation, I think, or your concern about the
cronyism and coziness of deans. If I understood you
correctly, deans being on teams reviewing their other
colleagues schools, unless I misunderstood, welcome
to accreditation.

DR. BREGMAN: Okay. Thank you. I
appreciate that. Yes, as a practitioner, you would -
or at least I would think that I would want, if I
was a dean, people evaluating my schools that were
objective and that there would not be an sense of
impropriety that there was some quid pro quo or well
you didn't evaluate my institution properly. I'm not
going to evaluate your. So, I think that's probably
a better way to put that comment. Thank you.

CHAIRMAN PHILLIPS: Art Keiser.

DR. KEISER: Just out of curiosity, if we
followed your recommendation and denied the
recognition of the agencies, then you would suggest
that all of the veterinarian schools, since this is
the only accrediting agency of veterinary medicine,
would now all be out of compliance with most of the
state regulations and there would be no more
veterinarian students being able to take the boards.
Is that what you wish?

DR. BREGMAN: That's not what I wish. Of
course not. What I wish for is that all of the
various stakeholders be brought together and that
people who are objective and familiar with the
accreditation process help to improve the Council of
Education -- the Council on Education and generate a
general sense among practitioners, in particular,
because that's what I am, that those schools are
being evaluated objectively and consistently, whether
they are foreign or domestic.

I have no doubt that the people who
volunteer their time and energies on the Council of
Education are committed to the profession and are
committed to doing a good job. I just think the
process needs to be reworked.

DR. KEISER: That again, is an admirable
goal, but however, I'd say 800 of the 850 comments
against all advocated the non-recognition, which
would have serious impact, but that's not what you
want.

DR. BREGMAN: What I want is -- I think
that if practitioners are to be included as a
stakeholder in the accreditation process, then their
needs and their desires need to be recognized and
incorporated into the process I guess is the best
answer that I can give you.
From what I understand, there is no other accrediting body, and so particularly in regards to domestic schools we need -- that's why I'm here on my own time, out of my clinic, having spent my own money to come and say I'm concerned about my profession. I'm concerned that my brother and my father are both veterinarians and we are concerned that the quality of education of students who are taking on crushing amounts of student debt is not what it should be.

DR. KEISER: Thank you.

DR. BREGMAN: Thank you.

CHAIRMAN PHILLIPS: John Etchemendy.

DR. ETCHEMENDY: So, you did say one thing that seemed to point at a fairly clear difference in the accreditation standards. You said that the foreign institutions were not being required to meet the 80 percent passage rate rule as are the U.S. institutions. Now, that seems to conflict a bit with what Dr. Derksen said earlier. He said that they see the same passage rates of those who take the test.

DR. BREGMAN: There's some semantics I think involved with that. And one of those is that
that particular requirement must be met by institutions who have a certain proportion of their graduates take the NAVLI. So, for example, if a small foreign school only has three or four people take the NAVLI, the idea, from what I gather, is it's not appropriate to hold them to that 80 percent standard. It's not a high stakes test for many of the graduates who go to that school because they have no intention of coming to this country to practice veterinary medicine. And yet, domestic schools are held to that standard and must maintain that pass rate.

And again, as a practitioner, not as an educator and not as a number cruncher, my thought is that well if they're accredited and they are the same as the domestic schools then all of their students should be force -- they should have to take the test as a high stakes test and pass at an 80 percent rate. It's important to recognize that as it stands now, my belief is that accreditation equals licensure. There is not a single state in the United States that has a practical exam or an exam that in
any way evaluates your ability to practice veterinary medicine. They are all jurisprudence exams. So, all of the states and all of the people who present their pets to veterinarians in this country are assuming, basically, that if you graduate from an accredited school you're qualified to practice in the United States. The NAVLI is designed to evaluate the minimally competent veterinarian. I believe our goal should be to continually strive to improve the quality of education that students receive.

CHAIRMAN PHILLIPS: Federico Zaragoza, and then I'm going to move on to our next speaker.

DR. BREGMAN: Yes, sir.

DR. ZARAGOZA: The staff recommendations are suggesting that we review compliance on this matter a year from now, and I'm struggling with the whole issue of -- there's been significant progress made and many changes. And I'm wondering have you had a chance and what are your thoughts on the improvements that have been made?

Specifically, you continue to mention conflict of interest, which was one of the areas that
they were out of compliance before, but now they're in compliance and they have new processes that seem to me to much more objective than they were before.

DR. BREGMAN: I would agree with you. That process has been improved and there has been improvement. And the goal of my presenting myself here today is not -- my goal is to try and improve the accreditation process, not to just sit here and decry it all morning. That is not my goal, but there are perceptions that the process is not what it could be.

DR. ZARAGOZA: And that's the second part of my question. What kinds of recommendations would you make so that a year from now the word is out there in the petitioner communities and there's a better sense that there is an acceptance now for this.

DR. BREGMAN: Well, for one, as a practitioner, you know, you would -- whether it's roundtable discussions, whether it's becoming familiar with the accreditors, meeting with them, discussing with them perhaps in some way at national
meetings, holding forums and venues where the accreditation process is better explained I think would go a long way towards doing this. And there's going to be -- honestly, there will be great difficulty in reconciling all of these groups, particularly, when you look at, as has been discussed, the different models like the distributive model and continue foreign accreditation. I think that is a real problem. Thank you.

CHAIRMAN PHILLIPS: One of our primary readers has one final question. Bill Pepicello.

DR. PEPICELLO: Thank you. I'll try and be quick. Just in light of your comments, I have -- I guess it's more of a comment in reply, and that we heard the agency today commit to a greater understanding and solicitation of input from all the relevant constituencies, that being given, and that we expect to see evidence of that presented in the future, might it not make more sense, rather than to not recognize the agency, which has a number of unintended consequences, as Arthur Keiser pointed out, to try to undertake a parallel process where the
kinds of changes that you're recommending would be done internally rather than more or less blowing up the institution externally.

And I think what we heard from the agency today would indicate they have receptiveness to that sort of collaborative effort.

DR. BREGMAN: And that's something I would be receptive to, and something I would be willing to participate in.

DR. PEPICELLO: Thank you.

DR. BREGMAN: Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

DR. BREGMAN: I appreciate your time.

Thank you.

CHAIRMAN PHILLIPS: Our next commenter invited forward is Nancy O. Brown with Cyril Clarke on deck.

DR. BROWN: Good morning very much (sic).

Thank you for hearing me this morning.

CHAIRMAN PHILLIPS: Welcome.

DR. BROWN: Dr. Nancy Brown. I submitted my credentials when I submitted my information, so
I'll be brief.

I'm a practitioner, and double boarded specialist, owner of a 24/7 hospital, and an educator in my own right. I train interns and residents. I've served on many educational boards and committees, and I have absolutely no conflicts of interest. There were 800 plus responders, as already mentioned, that are veterinarians from every sector of the profession who would like to separate the Council on Education from the AVMA, and they do not accept that the Committee selected members of the Council should consist of AVMA executive board members.

While the Association of American Veterinary Medical College is essentially a 28-member deans group now selects approximately half the members of the Council it too may not be free of conflicts of interest. A small example, but significant example, is some deans continue to serve or have served on the Banfield Board, which would be a business model, not a professional accreditation model.
The vote against foreign accreditation in January 2, 2014, which was mentioned several times, and the point has been made that 80 percent voted to continue foreign accreditation. The 20 percent who voted not to approve actually equates to over 85,000 members of the AVMA. That is a significant number, much more than presented in 2012.

In the executive summary of the USDoe, it is stated that the AVMA currently accredits 28 universities, as we've already discussed. However, the 47 schools accredited by the AVMA include 5 in Canada and 14 foreign. It should also be mentioned that there are 10 more schools in the pipeline. This is a philosophical definition I believe and one ripe for discussion.

Section 602.16 requires a review of programs and states that the standards of accreditation must be sufficiently rigorous to ensure whether the agency is a reliable authority regarding the institutions or programs it accredits. In 2010, the AVMA changed the clinical resource requirement from schools need to plan, supervise, and monitor to
schools must review their clinical experiences and outcomes. How can the experiences of students be evaluated when sent off to hundreds of unmonitored sites?

One week ago, I interviewed a fourth-year student from Western as an intern candidate in my own business. I asked her if she liked her education. Her answer was no. When asked why, she said sites. When asked why? She said no standards, no supervision.

I represent three generations of veterinarians, classes of '42, '73, and proudly 2014. Accreditation is essential to protect and advance the education of our profession. In this endeavor, the Council on Education has failed and should be separated from the AVMA and moved to an independent agency using the AVMA as a guide, as a director, as input, but not as a controller.

The Council should be placed in the hands of educators and others who believe in providing our young, passionate students a constructive, healthy, and profitable career. Thank you.
CHAIRMAN PHILLIPS: Thank you very much.

Members of the Committee questions for this speaker?

Thank you for joining us.

DR. BROWN: Thank you.

CHAIRMAN PHILLIPS: Our next speaker is Cyril Clarke with Mark Cushing on deck.

Welcome.

DR. CLARKE: Good morning and thank you.

My name is Cyril Clarke, and I serve as dean of the Virginia/Maryland College of Veterinary Medicine. Prior to my appointment at Virginia Tech, I served as dean of the College of Veterinary Medicine at Oregon State University. I also serve as a current member of the AVMA Council on Education. With its 20 members, I'm the only dean on that council.

I'm accompanied today by Dr. Jeff Newman, President of the Virginia/Maryland Veterinary Medical Association, and Dr. Newman will have the opportunity, I believe later to share his comments.

The boards of directors of the veterinary medical associations of Virginia, Maryland, and West
Virginia are all fully supportive of continued recognition of the COE. Virginia/Maryland College of Veterinary Medicine is fully accredited and is currently the subject of a scheduled periodic review by the COE.

After preparing a very comprehensive self-study, we hosted a site visit lasting five days in early October. During which time, the site visit members verified the accuracy and completeness of the self-study, and conducted an evaluation of the college's compliance with the accreditation standards.

Based on this first-hand experience, I can assure that the standards are clearly articulated and the COE policies and procedures were rigorously and fairly applied in an objective manner. These accreditation standards are reviewed by the COE on a regular basis and in a manner that encourages input from the profession and the public. A good example of this process is the current review of Standard 11, which deals with outcome assessment.

After thorough review of a report drafted
by educational experts and college associate deans
and taking into consideration the imperative that
competency of new graduates be assured, the Academic
Affairs Committee of the COE drafted proposed
revisions to the standard that could be made
available for public comment in the near future. I
anticipate that the outcome of this process will be
further clarification of an important standard
consistent with the COE's commitment to continue
improvement.

I believe that the negative comments
regarding continued recognition of the COE reflect
concerns about the veterinary workforce and are
intended to limit access to the public to veterinary
education, and thereby, limit competition in the
veterinary services market. Also apparent, as we've
discussed, is a bias in favor of providing veterinary
education only within major research universities.

As an educator, I will continue to engage
in conversations with stakeholders about these
issues, but I do believe that accreditation is not an
appropriate vehicle to address their concerns.
In conclusion, I recommend that the COE be accord full recognition. Evidence has been presented confirming why acceptance of the COE as well as its commitment to engage relevant constituencies and a periodic review of standards. The COE has demonstrated its ability to adapt to the changing needs of the public, the profession, as well as academia. And I believe that it should be encouraged to continue this process in a thoughtful and deliberative manner as a fully recognized accrediting agency. Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

Members of the Committee, Jill Derby.

DR. DERBY: Yes, I'm referencing comments made by an earlier speaker about the distributive model and the experience of students at sites and the suggestion that there's a lack of standards or a lack of supervision or feedback that comes from those sites. Can you speak to that?

DR. CLARKE: Yes, I can, both in terms of the philosophy of education as well as the practical implementation of the standards.
Let me start with the latter. There is a very rigorous application of the standards. The site u-teams look specifically at the educational dimension and conditions within those sites. They address, in particular, the outcomes assessment mechanisms that are used to assure that those distributive sites is an appropriate standard, which is applied particularly in regards to the attainment of clinical competencies.

On a general level, I would add that it's very important as higher education institutions develop for us to incorporate new approaches to creating experiential environments for veterinarians to learn within real life situations that allow a hands-on, minds-on approach to education. This viewpoint, which I hold very strongly, is informed not only by the almost 30 years that I've spent in veterinary education, but is informed also by my graduate degree in higher education.

And I feel that these developments, including the application of distributive model education are important ideas that need to be
incorporated, and are, in the context of hybrid models being incorporated into the educational programs of traditional schools as well.

CHAIRMAN PHILLIPS: Art Keiser.

DR. KEISER: Since you're a member of the Commission, I think it would be important to listen carefully to some of the comments that are made. Perception sometimes is as important as reality, and there's obviously a perception problem, and that goes along with all the accreditation, I think.

The lack of transparency, which was some of the discussions, the conflict of interest issues is now -- while there may not be reality, there is certainly a perception within your community, and I would suggest, as we've seen in some other agencies that have similar kinds of internal, political battles that the Commission be, you know, aware of this and attempt to not make a judgment, but to listen and to explain because there is some misunderstanding out there.

DR. CLARKE: I would agree that it is certainly important for the Council to listen and to
be aware of, and to be responsive to concerns that are raised from all constituents in our community. I'm a fairly recent member of the Council. I've been serving for approximately 18 months. So, my experience captures entirely the very significant changes that have been implemented in the Council, so I don't have a personal basis for a comparative analysis of where it is now and what the situation was in the past.

What I can tell you now is that the concerns in regard to inappropriate influence from the organizations representing practitioners or veterinary medical educators simply are not true. The Council operates in a way that is very objective and that is driven and predicated on the assumption that the standards are supreme in assessing the compliance and the quality of the educational system. The Council works very appropriately in terms of separating its conversations and its deliberations from any political influence, and that certainly has been my experience of the last year.

CHAIRMAN PHILLIPS: Further Committee
Thank you very much for joining us.

DR. CLARKE: Thank you.

CHAIRMAN PHILLIPS: The next person for comment is Mark Cushing, with Joan C. Henricks on deck.

MR. CUSHING: Good morning. My name is Mark Cushing. I'm the founder partner of the Animal Policy Group and a partner in a law firm in Portland, Oregon with offices also in Washington, D.C.

I've been the principal consultant to three accreditations, two were foreign and one was domestic. I have four points to make, but before I do that I can tell you from first-hand experience, and mine may be unique, that the application of the standards to a foreign university is rigorous and identical and painful.

I will also tell you that one of the greatest contributions to the quality of animal health in the Country of Mexico, an NAFTA partner, was the experience of the National University of Mexico, who is my client, in going through years and
years of the accreditation process, resulting in significant multi-million dollar investment in facilities and programs and faculty, and the United States can be proud of that contribution. And the gold standards that the COE standards represent was felt very directly and had a tremendous impact in Mexico, and congratulations to the COE.

My four points: one of the criticisms has been this implication that the COE is sort of wildly and arbitrarily accrediting new veterinary colleges. I want to remind you that there have been three new U.S. veterinary colleges in the past 33 years, a rate of one for every 11 years, hardly a rambunctious, aggressive, speedy process. The COE is deliberate and rigorous and methodical. That implication is simply not true.

Secondly, much has been made of the 800 or so comments that are critical to the COE. Out of the 100,000 veterinarians in the U.S., I am reminded from my Stanford education of the maxim of Thomas Moore, the great renaissance humanist and lawyer, who says silence complies consent in the common law. So, I
would not conclude that the 99 plus percent of those 100,000 veterinarians who did not write represents a no vote with respect to the COE.

My next point there is as an attorney I'm familiar with this process. The AVMA House of Delegates, and I made this point two years ago, is as vigorous as the ABA House of Delegates in terms of reviewing policies and voting from all 50 states on matters of interest to the profession. And the profession brings those issues to the AVMA House of Delegates in a public process. It's debated. And as you've heard, they, by 80 percent, voted against the recommendation with respect to stopping foreign accreditation.

Why do I bring this up? There has never been an effort made, so there's never even been a vote to ask that the COE not conduct its business. And I think one of the strongest measures of support has been the fact that in that very open process, which is used all the time for 'political" issues within veterinary medicine there's not been a vote and there's not been an issue raised or a motion that
would strip the COE of the authority that the critics are here recommending.

Finally, the implication that graduates are substandard, and that term has been used repeatedly in the media, and it is a harsh term, so I'll use my words carefully. The implication that the graduates are substandard of the one veterinary college that in existence uses a clinical distributive model in the fourth year is simply unfair and false, and is a dishonor to those students that paid for and spent the four years and earned their DVM and are licensed.

And I'll point this out, if those allegations -- and if I could just finish this one point. Vice Chair Keiser made this point. Those are purely allegations. If those allegations were true, there would be evidence brought to you from the public disciplinary actions of the veterinary medical boards in the 50 states that those graduates, in fact, are subject to a disproportionate number of disciplinary actions in those states for substandard or incompetent practice.
No evidence was brought to you because that evidence doesn't exist because there is simply no proof that those graduates are any better or worse. And their passage rate would suggest that they're the same.

CHAIRMAN PHILLIPS: Thank you very much.

Committee members, questions for this speaker?

Thank you for your time and testimony.

Our next speaker is Joan C. Henricks, with Kent Hoblet on deck.

MS. HENRICKS: Thank you very much. I am the Dean of the University of Pennsylvania School of Veterinary Medicine. I was educated at Yale and got my graduate and professional degrees at the University of Pennsylvania.

I wanted to talk to you today about the issue of quality, and very narrowly, the question of the research standard and how consistently it is applied and its impact on the outcomes of our education.

Since my alma mater as a veterinarian and
my academic home for 40 years has been the University of Pennsylvania School of Veterinary Medicine, it's also relevant that I hold a professorial appointment, have a long research career, and am boarded in internal medicine, and have a secondary appointment in the school of medicine.

Penn's identity and distinction as a veterinary school, has a very proud history of cutting edge biomedical research. The type and perhaps the amount of research conducted throughout long accredited veterinary schools actually varies widely. In keeping with the flexibility that we heard about earlier today, the research standard in the current model for accreditation allows for that variability.

An important element in meeting the standard is the integration of these research programs in veterinary student education. And in my experience as a university that has been accredited and is up for accreditation in another two years, that criterion is carefully assessed and it is assessed consistently across all schools of
veterinary medicine seeking accreditation or re-accreditation.

But the range of mission among our schools is enormous. We have a very focused biomedical program, but we also focus on animal health and food security. Some of the land grant institutions focus primarily on infectious diseases that affect and food safety. Some have research programs that are strong in both areas. This whole range has been a case for nearly a century. We are regionally appropriate to our geographic locations, and I believe that this will continue and is appropriate to serve society.

The idea that qualitative and quantitative standard change and decrease has been recently applied and applied only to schools who are newly seeking accreditation has not been my personal experience. Since the schools have different missions that are met by varying research approaches, it is important that they all can still have a high impact on student education and veterinary practice.

I have experienced with both Ross University and Western University of Health Sciences
faculty and students and alumni through various meetings and presentations and we have Ross alumni who've been recruited to be on our faculty. I cannot claim quantitative or objective data, but as you have noted, neither can those who impugn the quality or impact of these recently accredited schools. So, it is my personal experience that the work and the qualifications and the integrity and always of these individuals are undistinguishable from more longstanding accredited school.

In summary, the idea that there are recent changes in accreditation that are reducing the quality of graduates and the experience of students is not one that I can support by my own experience. Again, extensive and well founded biomedical research is an area that Penn is particularly proud of, but it is not necessarily the same across all institutions and research of very high impact that serve society and the education of our students can be highly variable, and I believe this will continue and continue to help our profession be of high value to society. Thank you.
CHAIRMAN PHILLIPS: Thank you very much.
Questions for this speaker?
Thank you for joining us.
The next person requesting public comment
is Kent Hoblet, with William Kay on deck.
MR. HOBLET: My name is Kent Hoblet. My
veterinary and graduate degrees are from Ohio State
University. I'm a board certified specialist in the
American College of Veterinary Medicine.
Since 2006, I've been the Dean of the
College of Veterinary Medicine at Mississippi State
University. Prior to going to Mississippi State, my
experience includes being on the faculty at Ohio
State University for 23 years, nearly 15 as a
department chair and in private practice for 12 years
prior to that.
I served as a member on the AVMA Council
on Education for 2005 to 2011. Currently, I serve as
the immediate past president of the American
Association of Veterinary Medical Colleges.
Today I will comment on three areas
regarding COE policy and implementation of changes
made in the accreditation process. First, under response to third party comments from the most recent Department of Education's report on compliance there's a statement that reads, 'Standards are vague and inconsistently enforced.' That has not been my experience.

My observation is that the site visit template or rubric that has been developed and used by the Council for the past year for each of the standards has a clarity, consistency, and improved objectivity for site visitors as well as for those at the colleges as they prepare their self-study documents.

The second point is since 2012 the Council on Education has developed a pool of site team evaluators apart from regular members on the Council, and these evaluators represent, in my opinion, an appropriate range of professional expertise. Our college had its first site visit under this new format in October 2014. I was pleased with the preparedness of these evaluators as well as their thoroughness and professionalism.
The third point I want to mention today relates to the COE accreditation process for foreign colleges and the assertion that this move is strongly opposed by the veterinary community. I have been a member of accreditation site visits before in colleges. It is my observation that COE accreditation is considered the gold standard by much of the international veterinary education community.

This past January, as then president of AAVMC, I provided to the AVMA House of Delegates Reference Committee the AAVMC's perspective and reasons for being in favor for accreditation of foreign colleges. Contrary to the assertion of strong opposition, the AVMA's 140-member House of Delegates are those directly representing the 80,000 plus members of AVMA vote four to one in favor of continuing international accreditation.

In summary, I am highly supportive of continued recognition of the Council on Education as the accrediting agency for colleges of veterinary medicine. Thank you.

CHAIRMAN PHILLIPS: Thank you very much.
Committee members, questions for this speaker?

Thank you for joining us.

Our next speaker is William Kay, with Deborah T. Kochevar on deck.

MR. KAY:  Happy Holidays.

CHAIRMAN PHILLIPS:  Thank you and welcome.

MR. KAY:  That was William Kay, veterinarian.  I was a member of Council on Education for four years, less than the six-year term as I was removed supposedly for cause, but that was a long time ago, and I have continued to be active as much as I can in the accreditation issues and I believe the crisis that the profession faces.

I have three points.  One is the documents that are required for an accrediting agency and the members of that agency actually understand what accreditation is.  The most important document, of course, is college accreditation in the United States, the Department of Education's regulations, and its accompanying document, which I fortunately received from the Department of the guidelines for
petition reviews and compliance reports.

Why has the Council on Education not used these critical documents? But there are many more that the Council members are not aware of and have not been provided copies of? Why? The staff members of the association that "We, the staff, take care of this" because the Council members have full-time jobs and are volunteers and they can't possibly spend all the time required to master all this complicate stuff, except the Department wants the accrediting agency members to do their job. They can't do their job if they don't know the documents upon which their job is based. That's point one.

Point two, somehow pre-accreditation has been complied with. I respectfully disagree. I believe that following the Department's decision to switch from or eliminate reasonable assurance, page 1 of the staff report in 2012, to be replaced with provisional accreditation was a very appropriate move.

Why then did the Council on Education continue to use reasonable assurance and grant
letters of reasonable assurance to two new veterinary
schools, which has the unfortunate consequence of
extending or possibly extending the amount of time
these two new veterinary schools can actually remain
pre-accredited.

Western University has come up by word or
by deed for several years. I'm very familiar with
the place in the sense that I've studied it. I was
actually offered a job, which I did not take.

Western University was supposed to be -- I guess all
schools are supposed to be pre-accredited for no more
than five years.

Western University was pre-accredited for
at least nine years before becoming fully accredited
in 2010, and I know all the breakdowns, reasonable
assurance, provisional accreditation, limited
accreditation, full accreditation, now they're back
on probation because they cannot be evaluated. This
is not an about the students. This is about a
process with hundreds of sites way beyond the
capacity of the Council on Education and Western
University itself to actually conduct activities that
are reasonable.

So, the inconsistency in the application, which again is 602.17 --

CHAIRMAN PHILLIPS: If I could ask you to wrap up your comments.

MR. KAY: Yes, ma'am.

The Council members cannot do their job without the documents.

Last point, the staff of the association has gone repeatedly to NACIQI and the Department alone without permission, and I know that from direct experience as a councilmember. Thank you and Happy Holidays again.

CHAIRMAN PHILLIPS: If you could wait for just one moment.

MR. KAY: certainly.

CHAIRMAN PHILLIPS: Committee, questions for this speaker?

Now you're free to go. Thank you very much.

MR. KAY: That's either good or bad.

CHAIRMAN PHILLIPS: Our next speaker
scheduled is Deborah Kochevar, with Michael Lairmore on deck.

MS. KOCHEVAR: Good morning and thank you. My name is Deborah Kochevar, and for the past nine years I've been the Dean of the Cumming School of Veterinary Medicine at Tufts University in Massachusetts. Tufts is the only school or college or veterinary medicine in the six-state New England region.

Prior to my current position at Tufts, I spent over 20 years at the College of Veterinary Medicine and Biomedical Sciences at Texas A&M University. I served as president of the Association of American Veterinary Medical Colleges and of the American College of Veterinary Clinical Pharmacology. I'm also a past member and chair of the Council on Education. So, I'd also like to address three points.

The first is that I feel strongly that the Council on Education has wide professional acceptance and this is based on my broad experience working with educators and practitioners in multiple states and
regions for over 20 years. I interact with numerous practitioners each year at national conferences and alumni events and review data collected from employer surveys.

Practitioner comments suggest that they're satisfied with the Council on Education's standards to address relevant knowledge, skills, and clinical competencies and they are largely happy with the level of preparation that they find in new graduates. Many refer to COE accreditation standards with pride and rightly observe that our system of accreditation has set global gold standards for veterinary medicine. I think you've heard that phrase multiple times this morning.

As evidence of that respect and support, three of the New England State veterinary medical associations, Maine, Connecticut, and Massachusetts have submitted letters in support of the COE, as has Tufts University. And I would point out that Massachusetts and Connecticut are the most populous states in New England.

The second point I'd like to highlight is
that the Council on Education has developed and applied standards that have undeniably raised the bar for veterinary educators and assured student achievement. And example of this is the trajectory over the past 10 to 15 years with regard to outcomes assessment. I had the experience of serving as chair of Council on Education during the early years of implementation of this standard. As with many changes, there were questions and some concerns as to why these new requirements were being instituted.

Now, nearly 15 years later, the culture of our schools and colleges has shifted, and as a profession we have become adept at formative and summative outcomes of assessments. More importantly, we have learned how critical these evaluations are for continued improvement of our educational systems.

The COE drove these changes and has set and assured compliance with evidence-based standards of student achievement that have improved all of our schools and the profession.

My third and final point, the Council on Education has solicited and received regular input on
standards from educators and has been responsive to the changing needs of the profession. The deans of accredited veterinary institutions receive requests for input at predictable and frequent intervals and are free to gather input from their school and local practitioners regarding proposed standard changes. This process has been used to good advantage to strengthen Standard 10, research, to provide needed flexibility around the changing nature of libraries and information resources, Standard 5; and to assure day one clinical competencies, Standards 9, curriculum, and 11, outcomes. This is just to name a few.

In addition, and you've heard this already this morning, recent changes instituted by the Council on Education has demonstrated to me and to others that the Council is responsive and leading positive growth in veterinary education. Over the past two years, we have seen an appropriate shift in composition of the Council and the way members are selected, separation of Council members for site visitors, and modification and improvement of the
evaluation rubric. These are all positive steps. They align the veterinary model more fully with the medical accreditation model and assure continued excellence in veterinary medicine.

So, in conclusion, I, and many of my colleagues in academia and in practice in New England, fully support the COE and are grateful for the positive role the Council plays in veterinary education in our profession.

Thank you very much for the opportunity to provide these remarks.

CHAIRMAN PHILLIPS: Thank you.

Committee members, any questions for this speaker?

Thank you for joining us.

Our next speaker is Michael Lairmore, with Mary Beth Lininger on deck.

Greetings and welcome.

DR. LAIRMORE: Good morning. My name is Michael Lairmore. I have the privilege of serving as Dean and Distinguished Professor at the University of California, Davis School of Veterinary Medicine.
I received my DVM degree from the University of Missouri, practiced two years as a dairy practitioner and then earned a Ph.D. from Colorado State University before a post-doctoral stint at the Centers for Disease Control. I'm board certified in veterinary pathology and veterinary microbiology. I'm a fellow of the Triple AS American Academy of Microbiology and one of only 20 veterinarians elected to the Institute of Medicine of the National Academy of Science.

I'm also a proud member of the California Veterinarian Medical Association, which has written a positive letter in continuing recognition of the Council of Education. The CVMA is the largest state veterinarian medical association in the nation with more than 6,300 members. The CVMA is committed to serving their membership through continued innovative membership.

I am in strong support of the Council of Education's continued recognition to serve as the accrediting organization of educational institutions to train veterinarians. My position has been made
known to my faculty and leadership of my school, which broadly supports my decision.

It's based upon a review and analysis, as you've heard, of the 2012 findings in the petition for continuing recognition. The Department, I feel, made several recommendations and the COE has responded to these recommendations and has taken to ensure, as we've heard this morning, to have a strategic alignment with the changing needs of the profession.

Specific changes, as has been mentioned in the selection process of COE members, has established a nomination in an objective, fair, and representative manner. I feel the present accreditation system is driven, evidence-based, and is constantly evolving to meet the needs of a changing veterinary medical profession and has demonstrated the appropriateness and capacity to consider evolving models of education.

Having been through this process at Ohio State University as well as University of California Davis, I've experienced the review process and am
convinced that it is extremely thorough, comprehensive, and judicially applied. And as I mentioned, as an elected member of the Institute of Medicine of the National Academy, I'd like to comment specifically about important changes in Standard 10 regarding research.

The self-study now includes a more comprehensive review of collegiate research programs and how these research programs impact our veterinary students. I feel that these standards, like all standards, is applied uniformly across all institutes that have been through the process, is comprehensive, and aligned appropriately to the goal of accrediting institutions to produce entry-level veterinarians.

I feel confident the COE operates freely and independent of the AVMA and AAVMC, and other elements that might detract from its core mission. I believe the existing system supports a process with honesty, efficacy, and commitment to the highest standards of educational standards and public service.

To conclude, I support the COE and the
high standards of educational quality, professional excellence that are defined and guaranteed by the existing structure and process. And I'd like to thank you very much for being able to testify today.

CHAIRMAN PHILLIPS: Thank you for joining us.

Committee members, any questions for this speaker?

Thank you again.

Our next speaker is Mary Beth Lininger, with Sheila Lyons on deck.

Greetings. Thank you for joining us.

DR. LININGER: Good morning. Thank you very much for having me.

My name is Dr. Mary Beth Lininger, and I'd like to take a short time to give you a brief overview of my background because it's a little different from what you will hear from other people.

I was a companion animal practitioner for 30 years, an executive in a major veterinary corporation for 10 years and the project manager for a national consortium over multiple years to improve
veterinary education. I've also been an AVMA leader for almost 30 years, and 20 years ago I was elected as the first female president of the AVMA; yet, today I find myself in the very uncomfortable position of criticizing how the agency conducts its accrediting activities.

The people who are speaking to you, both for and against continued accreditation activity by the COE are all my friends. While I can cite very many instances of the agency's failure to follow USDE regulations during the time between my election to the agency in 2012 and my expulsion in March 2014, I will limit my remarks to several issues that were addressed in the NACIQI staff report.

The Committee's concerns regarding regulation 602.13 are acceptance among educators and practitioners are fully warranted. At no time during my service on the agency was there ever any agenda item, discussion, or any effort to reach out to the 13 veterinarians who testified to you in 2012. Indeed, the agency's chair and support staff repeatedly stated that these 13 people didn't know
what they were talking about and were just trying to make trouble.

Regarding regulation 602.18, assuring consistency in decision making, and 602.21, related to consistency and application of the standards I have three comments. During my time with the agency, there was never any training on Department of Education regulations or guidelines.

Number two, in marked contrast to the agency's claim that the new site team visitor team receive multiple days of in depth training, the training that was provided to me and others who were elected in 2012 actually consisted of watching a 40-minute video on our own and less than one hour of in-person orientation.

When I questioned the limited extent of our training, I was repeatedly told by agency support staff and executives 'Once you go on a site visit, you'll see how it works.'

Third, and that might be and should be most troubling to you, agency members have inadequate time to review material between meetings. While I
served on the agency, I pleaded repeatedly for agenda
items to be sent as soon as they were available to
allow for careful study. Instead, the time we had to
review materials before we were expected to vote on
them became shorter and shorter.

For the meeting commencing March 2, 2014,
agenda and background attachments were received on
February 26. This gave agency members only four days
to review these documents.

It is painful for me to speak in
opposition to the professional association that I
have served with dedication and commitment for almost
30 years; however, I believe I have the
responsibility to inform NACIQI the dysfunctional
ways of the agency that I have experienced. The
disregard for USDE criteria, the inconsistent
enforcement of standards, and the rampant conflict of
interest that exists today will persist unless NACIQI
suspends regulation recognition until the agency is
autonomous and completely independent from the AVMA.

May I close?

CHAIRMAN PHILLIPS: Please.
MS. LININGER: Ladies and gentlemen of the Committee, I personally want to thank you for your hard work. You're looking at issues that will impact the future of my profession and the young people who are joining it for years to come. What you do matters. And as a volunteer for many years on a lot of boards, I know how hard it is and for that I really appreciate your work. I also welcome any of your questions.

CHAIRMAN PHILLIPS: Thank you very much.

Committee members, questions for this speaker. Jill Derby.

DR. DERBY: I think I would like to address my question to members of the agency based on some of the concerns that have been raised here. Will I have an opportunity to do that?

CHAIRMAN PHILLIPS: Absolutely.

DR. DERBY: Thank you.

CHAIRMAN PHILLIPS: Anne Neal.

MS. NEAL: A quick question, we've heard from two people today who, I think, by your own definition have been expelled from the body, which is
hard to do, at least my experience. I'm just curious. Are you comfortable in saying why you were expelled from the body?

MS. LININGER: Certainly. I'd be more than happy to explain it. It related to comments that I made at the AVMA meeting in January 2014 in which the House of Delegates was evaluating whether to continue foreign accreditation. I spoke in public that I disagreed with the foreign accreditation process. This should not have been new news for any member of the Council because I had brought up several times the fact that I believed the infrastructure and resources the Council had, limited time, limit time in meetings, limited money, limited staff, limited members to do the work of the site visit teams and evaluation were not sufficient to be able to add so many foreign veterinary schools to the workload that they were already doing.

For speaking out in front of the AVMA House of Delegates, I was removed for perceived conflict of interest. At no time was I ever intending to not approve -- to not believe that the
education provided in foreign veterinary schools is fine. I don't know that. I've never been on a site visit. But I know that when I spoke against it I was dismissed.

CHAIRMAN PHILLIPS: Further questions for this speaker.

Thank you for joining us.

MS. LININGER: Thank you ladies and gentlemen. Thank you.

CHAIRMAN PHILLIPS: Our next speaker is Sheila Lyons, with Robert Marshak on deck.

Welcome.

MS. LYONS: Thank you very much. My name is Sheila Lyons. I'm a private practitioner, and I practice sports medicine and rehabilitation with horses internationally. I've testified twice before the United States Congress in 2012 and '13 as an expert in my area of specialty and on the anti-doping regulation, which Congress is, I'm very happy to say, considering.

I have a nonprofit organization, and created educational programs to fill a gap that I
encountered when I first graduated, through no fault of the profession, but because this was an emerging specialty field. And thanks to my wonderful education at Tufts and the alliance they had in human medicine I did a three-year fellowship in human medicine, did the research, and then transferred those methods over to veterinary sports medicine to tremendous success worldwide. So, I felt an obligation to, in turn, offer that education to others, which I've done for 20 years.

Imagine, if you will, yourself in your physician's office and your physician has held themselves out to be some kind of specialist. Imagine further that while you were sitting there you look up and can see certificates on the wall attesting to the fact that this doctor in whose care you have placed yourself and upon whom you are relying is a board certified specialist in orthopedic surgery or a cardiologist or perhaps a specialist in oncology.

And imagine yourself feeling confident and reassured by the fact that you've placed your trust
and confidence in a doctor who is a world recognized authority in this specialty field. Now, imagine finding out that those certificates are a fraud and that the doctor who placed them on the wall for you to see and to advertise their expertise never undertook any post-doctoral training, never sat for an examination, and never was required to demonstrate their proficiency in that medical specialty and that the certificate was, in fact, bought by your doctor for $500.

And imagine that the national accrediting association that sanctioned and actively promoted these diplomat credentials knew about, participated in, and condoned this practice, even though it violated every ethical rule and regulation in the book, including its own policies and procedures. Imagine how, as a patient, you would feel if you found that out.

If you can imagine that, then you can imagine how I felt when I, as a veterinarian, following my three-year post-doctoral fellowship and years of research and expensive specialized clinical
practice attempted to form a new specialty in veterinary sports medicine and rehabilitation and found out that the AVMA had knowledge of such activities by its members and recognized boards. And not only knew of it, but openly and unapologetically condoned and participated in the practice.

And I am happy to provide this Committee with deposition testimony given by executive members of the AVMA in other matters and other documents evidencing these practices. The AVMA, through its Council on Education, officially accredited a specialty group which gave board certification status to 27 veterinarians under the circumstances I have described and due to the super secret nature of the way the AVMA conducts its business neither the public nor its dues paying members will ever know that these board certified veterinarians did not meet the AVMA's own published standards --

CHAIRMAN PHILLIPS: If I could ask you to wrap up, please.

DR. LYONS: -- for qualifications as experts. Based upon my experience, I would strongly
support the creation of a fully independent
organization to oversee the accrediting of veterinary
schools and related organizations and institutions,
the recognition of veterinary specialty boards and
the credentialing of specialists, one that is free
from the abuses, unfettered politics, and conflict of
interest that pervade the accreditation practices of
the AVMA. Thank you very much.

CHAIRMAN PHILLIPS: Thank you.

Committee members, questions for this
speaker?

I have one question, if I could ask for
clarification. The concerns that you were mentioning
about the inappropriate credentialing that is
credentialing of individuals not of educational
programs, is that correct?

DR. LYONS: That's correct. It's actually
credentialing boards that, in turn, credential
diplomats with the full recognition through the
AVMA's Council on Education.

CHAIRMAN PHILLIPS: Thank you.

DR. LYONS: You're welcome.
CHAIRMAN PHILLIPS: Thank you very much for your comments to us.

DR. LYONS: Would you like for me to leave these documents/

CHAIRMAN PHILLIPS: You're welcome to.

DR. LYONS: Okay. Thank you.

CHAIRMAN PHILLIPS: Our next speaker is Robert Marshak -- I apologize for butchering names -- with on deck Eden Myers.

DR. MARSHAK: Thank you. I'm slow a little bit. I'm 92-years old.

CHAIRMAN PHILLIPS: Welcome.

DR. MARSHAK: Good morning. I graduated from Cornell's Veterinary College in 1945, spent 11 years doctoring dairy cows in Vermont, and nearly 40 years a Penn professor of medicine, 14 of those as dean. I'm a member of the Institute of Medicine and I'm the chief troublemaker for the COE.

At Penn, I worked at Penn to move clinical education towards the high standards set by the human medical profession. My colleagues and I created the first spectrum of authentic veterinary clinical
specialties, established the first NIH-funded
clinical research and training programs, and
integrated teaching research and patient care.

Today I am alarmed and discouraged by the
erosion and debasement of these and many other
advances. The AVMA Council on Education forsaking
quality and integrity has weakened, ignored, and
inconsistently applied its standards to accredit
schools that are taking us back to a pre-scientific
era, dangerously out of step with the profession's
current and future challenges back to 1945 when I was
a student in veterinary school.

Biomedical knowledge is growing at a
dizzying pace. We all know that. The advent of
molecular and personalized medicine is increasing the
complexity of veterinary practice and emerging
infectious diseases, many transmissible from animals
to man and bioterrorism are threatening our animal
populations, the security of our food supply, and the
national economy.

There has never been a greater need for
well educated veterinarians and veterinary
scientists. Veterinary scientist like those who discovered the Ebola virus, developed the first successful vaccine for cancer, eliminated cattle plague from the face of the earth, and established the field of transgenesis and were recipients of a Nobel Prize and a National Medal of Science.

The profession's enormous challenges require a medical education focused on training students' minds and powers of observations so they learn to question deeply, gather and assess data accurately, and acquire the ability to form sound, balanced judgments. Only when these goals are embedded as the core focus of veterinary medical education will new graduates be assured of the skills necessary for successful adaptation over the arch of their careers.

The AVMA's argument that the COE must apply its standards inconsistently because veterinary schools have different missions is specious. Application of all the standards to every school is necessary. We cannot produce well educated practitioners nor veterinarian scientists in schools
characterized by low-quality science, absence of research, and poorly monitored clinical programs outsourced to private practices.

The multitude and velocity of this retrograde shift from the centrality of the teaching hospital and high quality basic science and research are a profound threat to the profession's future and to the health and welfare of American society.

CHAIRMAN PHILLIPS: Thank you very much.

Committee members, questions for this speaker? John Etchemendy.

DR. ETCHEMENDY: So, Dr. Marshak, I'm tempted to ask you whether you have any secrets to being so vital at 92, but I won't ask you that.

DR. MARSHAK: The secret is that I do all the cooking. My wife doesn't cook.

DR. ETCHEMENDY: We asked an earlier speaker about his evidence for the inadequacy for the graduates for some of these institutions, and I'd like to just repeat that question to you. Do you have evidence that they're not doing a good job educating?
DR. MARSHAK: Let me say first that it's almost impossible to know what's out there in terms of the students, the entry level vets that go out and get a job somewhere. Nobody has a method of evaluating these people. If they have a DVM, all the public knows is that, well, you know they're assured that these people are able to do the job, to treat my animal well because they have been very well educated and they have a deep education.

I'd like to know that, and you like to know that when you go to your doctor just as the previous speaker had spoken, in a way. So, that's one thing that's really nobody can tell you right now and I certainly can't. But I am an educator, and I have studies -- I've been to all the schools, more or less, over my life, and I have also been to the Western School twice, although not recently, and I regard that school as a disaster for the following reasons.

First of all, the first two years are spent by the students studying -- they're given 64 cases over a period of two years, and they have a
self-learning -- this is a self-learning method where six students sit in a room. They have this case and they look at it and they discuss it. What they're supposed to get out of this are their basic science knowledge. They're supposed to be able to extract and internalize out of these six cases, and these discussions, and they're not allowed to ask questions. They have to do it on their own. They are supposed to extract and internalize all the basic science disciplines, you know, from molecular biology down to etiology -- anything you want to name -- and that's impossible, and they don't do it.

And then the second thing about Western is that they have a very chaotic clinical program. In the fourth year, in particular, they send their students out to some hundred or so practices or other types of sites and they have no idea at the end of that time whether each student that graduates -- that they graduate have actually been exposed to all the appropriate disciplines, to all the appropriate clinical problems that one expects an entry-level veterinarian to have. There's no way they can do
that.

So, it's really education on the cheap because they don't have much overhead. They charge a huge tuition, and the students go out and we don't know what they really know at the end of that period, and they don't meet the standards.

DR. ETCHEMENDY: I get the picture. Let me just ask a very quick question, and I hope it has a quick answer. So, the NAVLI is -- presumably, these students, these graduates are passing the NAVLI. Is there a problem with the NAVLI?

DR. MARSHAK: Yes, the NAVLI is an example--

DR. ETCHEMENDY: Quick answer.

DR. MARSHAK: The people who prepare the NAVLI are wonderful. They're first rate, honest people and they do a great job, but the exam is specifically designed for the very minimally competent graduate. That's number one.

Secondly, it seems to me that any exam where everybody gets 95 or more percent pass rate on the first go has to have something wrong with it, or
you have to question that type of an exam. It isn't a rigorous examine. The other thing about it is it does not question the basic science knowledge of students. It's a totally clinical exam. Only 5 percent of the questions are changed every year, and there are lots of places -- they can Google veterinary information network is giving courses on how to pass the exam, so that is really the aim of schools like Western is to get the students so they can get licenses and pass the NAVLI, and then they say this is evidence of the school's quality. It has absolutely nothing to do with the school's quality.

CHAIRMAN PHILLIPS: Further questions for this speaker?

Thank you very much for joining us.

DR. MARSHAK: Thank you.

CHAIRMAN PHILLIPS: I'm just going to a quick time check as we change speakers here. Our next up is Eden Myers, with Phillip Nelson on deck. We were scheduled for a break seven minutes ago, and I know that there is some need for people to check out. I'm going to see if we can run
through the rest of our speakers and then need to
take a pause at that point and come back after a
break to complete the remaining parts, which will
include an opportunity for the agency to respond to
the commenters, the Department to respond to the
agency and the commenters, and our motion discussion
and vote. So, we've got a few more steps to go in
this process.

And with that in mind, welcome, thank you
for joining us, and of course, you'll be under three
minutes, right?

MS. MYERS: Absolutely.

CHAIRMAN PHILLIPS: Okay.

MS. MYERS: Thank you all. I'm Eden
Myers, and I'm just a vet. I am not the dean of
anything. I'm not the chair of anything. I'm not
boarded. I'm a general practitioner. I'm the only
general practitioner you're going to hear from today.
I am also a taxpayer, and I'm here with that hat on.
I'm a student loan holder. I still
haven't paid off my student loans. I'm a parent of
two kids that are going to be in college a lot sooner
and facing student loans than I really want to think about. I'm also one of the volunteers that organized the web's commission forum that resulted in those 900 comments.

Okay, we did not create the discontent that those comments revealed to you all. We just allowed its expression. If the agency's processes for getting input are sufficient, why were those 900 people waiting in the wings for an opportunity to have their say? And we so thank you all for letting us have a say.

The problem that we have, and you've heard a lot of different viewpoints, and you've heard everyone say, well, this is good and that is good and it's the distributive model and its foreign accreditation. And what it is is it is political entanglement. The agency is housed within the trade association. Both the trade association and the agency work diligently to stay separate, but they can't.

You've heard about Western and the distributive model. When Western came up for
accreditation, four times they came before the agency. Four times they did not meet the standard. Four times the agency declined to accredit them. And that was right and appropriate based on their policy and procedures manual. The school sued, but they did not sue the accreditor. They sued the trade association. Okay, so the trade association, because it has a different role has a different legal exposure was at risk for a negative judgment. They settled the suit and the settlement of that suit was that the association ordered the agency to overturn its own appropriate decision and grant accreditation to a school that did not meet the standards and that situation will continue to exist until the agency is separate and autonomous from the association.

As long as it is housed within the association, it also -- I mean it's a line item in a budget. It has insufficient resources to do the job. Why when a school that wanted to implement a model that has been successfully used in human clinical training for decades, when a school wanted to bring that veterinary medicine why was our accreditor
totaely unprepared to provide that school with
sufficient guidance? Because it's a line item in a
budget it needs to be its own entity.

And what I put in my written comments and
what I would advocate is that we find some way to
work in a parallel track to find an internal fix so
that the trade association can do its job because we
want it too. We want our trade association back.
The AVMA is really, really good at some really,
really important things and we want to support them.
The COE, I mean the people who are -- may
I?

CHAIRMAN PHILLIPS: Please finish.

MS. MYERS: The people who are against the
COE, whatever that means, because we're all for them
because we're all on the same side here. The people
on the COE probably they're going to throw things at
me here. There is no one in this country more
dedicated to or better qualified to run a veterinary
medical accreditation agency than Dave Granstrom, but
he can't do an adequate job of guiding the agency as
long as he's inside a political entity like the trade
association.

CHAIRMAN PHILLIPS: Thank you very much.

Committee member questions for this speaker?

Thank you very much for joining us.

Our next speaker is Phillip Nelson, with Jeffrey F. S. Klauser on deck.

Thank you for joining us.

DR. NELSON: Thank you. Good morning. My name is Phillip Nelson. I'm the Dean of Veterinary Medicine at Western University of Health Sciences. From here on, I will refer to it as Western U. I have over 30 years experience in higher education, and I'm very familiar with the accreditation process, having been involved in accreditation at three different institutions, either as a faculty member or as an administrator responsible for accreditation reports. I have served on the faculty of Mississippi State University during its early years of establishment as an assistant professor, and approximately a decade later as Associate Dean for
Academic Affairs. Additionally, I have served on the AVMA Educational Commission for Foreign Veterinary Graduates for six years, serving as chair during my last year of service.

I believe those experiences, particularly my experience with the COE while serving when the College of Veterinary Medicine was being established at Mississippi State University provides me with a unique perspective regarding the question of whether Western U was provided a different experience, or more to the point, a more permissive experience than provided other schools.

With that said, my experiences with the COE at the three institutions were essentially comparable in the approach and methodology of the COE, except that it was a much more intensive and iterative process at Western U.

My comments are intended as a response to the problems cited on the staff report on page 2, which specifically stated 'The agency must ensure it has and applies a compliant student achievement standard and the specific third-party comments that
asserts 'standards are vague, inconsistently enforced, and deliberately weakened to justify the accreditation of substandard schools.'

Western U received its letter of reasonable assurance after providing its plan to address the accreditation standards in three separate reports. Our plan for Standards 1, 7, and 10 were accepted in February of 1999. Standards 2, 4, 6, 8, and 11 in February of 2000, and Standards 3 and 9 in March of 2001.

Since that time, Western U has generated and submitted 10 semiannual reports, 6 annual reports, provided 11 progress updates and clarifications of our intentions regarding our plans to meet standards, 4 self-studies, and at least 20 in depth correspondent exchanges between Western U and the COE, addressing nearly 700 questions, concerns, recommendations, requests for documents, and/or commendations.

Once the charter class arrived in 2004, the COE moved in. The COE had a nearly constant presence on our campus, the liaison committee or a
subcommittee visited the campus every year from 2004 through 2008 for either a comprehensive, two of them, or a focused, three of them, evaluations.

Since 2008, the COE has completed two additional comprehensive evaluations. It should be noted that during each comprehensive site visit the impossible happened. Despite the information provided to this body previously that says that the COE could not evaluate every facility, the COE actually evaluated and insisted on evaluating every facility we used to deliver our core curriculum.

CHAIRMAN PHILLIPS: I apologize to interrupt. Your three minutes is so short.

DR. NELSON: I'm sorry.

CHAIRMAN PHILLIPS: If you could wrap up.

DR. NELSON: Okay.

We've not always been in agreement. It has been an iterative process; however, throughout this process the COE has maintained a consistent and professional commitment to interpreting our planned activities in light of the standards. The COE was able to effectively communicate that the college was
expected to carefully plan, closely supervise, and regularly monitor student experiences throughout the curriculum.

In short, even though the college has adopted approaches that were not common in veterinary medical education, the COE has consistently insisted, and as mentioned by the number of detailed questions, our college has had to answer to them, we've had to demonstrate equivalent compliance with their standards.

Thank you for this opportunity to put the process in the record.

CHAIRMAN PHILLIPS: Thank you very much.

Questions for this speaker by Committee members? Anne Neal.

MS. NEAL: Thank you for coming. Just two quick questions, you referenced a reasonable assurance letter, and yet, I believe we have heard from others that the reasonable assurance was, at least in the past, deemed inadequate by the Department of Education and that a different standard needed to apply for provisional or pre-accreditation.
Could you respond to that, please?

DR. NELSON: Well, first of all, the reasonable assurance letter was received in 2001, and I believe the change occurred in 2012.

MS. NEAL: And then I'm just curious. We've heard a number of concerns, Mr. Marshak in particular, about clinical models outsourced to private practices, which seems to be at the nub of some of unhappiness. I've been looking at my computer while you were sitting, and I understand you did have a clinical practice with a corporation which is now you are ending. I'd like to hear your input on these clinical practices being outsourced to private practices.

DR. NELSON: I'm sorry?

MS. NEAL: I'm sorry. Your clinical work is being outsourced to a private practice, and your experience with that, and ultimately concluding not to continue that arrangement.

DR. NELSON: Okay, I think you're asking two separate issues. One is about the training of our students and clinical practices and the other is
an arrangement that we had -- that the college had
with Banfield Pet Hospital in running a hospital on
our campus and being associated with some of the
training of our students in some of their practices.

So, let me separate those two, if you
will; and I'll take the latter first. We did have an
association with Banfield Pet Hospital. They donated
-- they gave us a significant donation, in which we
have a veterinary clinical facility that houses some
of our faculty and also has a primary care facility
on campus. That was a 10-year partnership. That
partnership ended December 1 of this year, and now we
are running that hospital as part of the college
itself.

As far as the training is concerned, our
clinical training is designed to immerse our students
in a real work environment. And so our distributive
model is not much different than the distributive
model that's used in human medicine, except that I
think that we provide a lot more monitoring and
supervision of our students while they are in those
real work environments.
We actually inchoate certain adult learning behaviors in our students in the first two years of the curriculum, using our problem-based learning curriculum where they are urged and trained to independently identify those areas of ignorance when they're presented with a problem and learn how to use resources, particularly primary literature in order to identify the latest advances in solving those problems. And we believe they have the skills to apply that in the clinical arena in those practices. And so they go out to those practices in order to be exposed to the real work environment, and it also allows us to put them into some of the best practices in the world. And we're fortunate to be located in an area that has some of the best practices in the world.

CHAIRMAN PHILLIPS: Thank you, Simon Boehme.

MR. BOEHME: Simon. Thank you for joining us. I was wondering if you could quickly share with NACIQI some of the student feedback that you get.
in terms of this distributive model. Is it positive, is it negative, and how those students feel prepared to get a job after they graduate from Western?

DR. NELSON: The student feedback has been overwhelming positive, both while they are in the training program and when they come back. We now have three classes that have been out five years or more, and we've had alumni reunions for those three classes, and we've gotten overwhelming positive responses from those students also in our surveys.

MR. BOEHME: Thank you.

CHAIRMAN PHILLIPS: Further questions from the Committee?

Thank you very much for joining us.

DR. NELSON: Thank you.

CHAIRMAN PHILLIPS: Our next speaker is Jeffrey Klauser with Frank Walker on deck.

Greetings and welcome.

DR. KLAUSER: I don't write very clearly.

It's Dr. Jeff Klauser. I'm the chief medical officer of Banfield Pet Hospital that you've heard a little about.
Before that, I spent 33 years in academia. I was a faculty member, department chair, and dean of the College of Veterinary Medicine at the University of Minnesota. I was dean for 10 years.

I have written here some of my experiences as dean, but I think the other deans in the group have adequately expressed their thoughts. Mine are similar. I think the COE did an outstanding job in accrediting the College of Veterinary Medicine at Minnesota, and we learned from that every year.

The last five years I have been the chief medical officer at Banford. Banford is the largest veterinary hospital in the United States, probably in the world. We employ over 3,000 veterinarians. We have 7,000 veterinary technicians and more than 15,000 people who work for Banfield across the United States. It is a general practice. We do pretty much what ever general practice does in the United States, except we do it on a much larger scale.

My role as chief medical officer is to ensure the quality of the veterinary work that's done in every one of those 900 hospitals, and ensure the
quality of our 3,000 veterinarians, and that's where
I spend my 13 to 14 hours every day making that
happen. So, I'm very knowledgeable about what's
produced by the colleges of veterinary medicine in
the United States. And I can tell you we look very
carefully at the veterinarians we select. We measure
everything that can be measured, everything from
state board complaints to how many anesthetic tests
they have to how well they're protecting their pets
from heart murmur disease.

I can sit here and unequivocally say there
is no difference in the veterinary schools in the
United States. The students who graduate from the
wonderful school, the University of Pennsylvania, are
no better or worse than the students who graduate
from the Western University of Health. They are both
very well trained. There has never been a better
product as far as the student of veterinary medicine
in the United States, as far as their basic
competencies, their clinical knowledge, and their
skills.

I believe the COE has done an absolutely
outstanding job in producing this quality graduate, and I very strongly, and so does my company, and so does the Oregon Veterinary Medical Association, we support continuing the COE as the accreditor of colleges of veterinary medicine. Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

Questions for this speaker?

Thank you very much for joining us.

We have Frank Walker next, with Jeff Newman on deck, and Jeff Newman will be our last speaker before the break.

MR. WALKER: Madame Chair, there seems to be something wrong with the speakers in the back of the room, are you aware of that?

CHAIRMAN PHILLIPS: We understand that.

MR. WALKER: It's very distorted.

CHAIRMAN PHILLIPS: The last speaker was particularly distorted. So, the eight inch rule is very precise, not more than, not less than. Thank you for joining us.

MR. WALKER: Good morning. My name is Frank Walker. Thank you for the opportunity to speak
with you.

I'm a mixed animal clinical practitioner from New Rockford, North Dakota, in which I serve the animal care needs of our small, rural community. I am an AVMA member and involved as a leader in organized veterinary medicine in the local, state, and national level. In July, I completed 12 years of an appointment on the North Dakota Board of Veterinary Medical Examiners. Currently, I serve on the board of directors as the treasurer of the American Association of Veterinary State Boards, that's the licensing board for veterinary medicine.

In addition to this personal investment in experience and in my profession, I provide third-party comment today, as I did two years ago, from the vantage point of having served on AVMA's Council of Education and the CVTA Committee, which is the Veterinary Technician Committee and Activities. That opportunity provided me a perspective in terms of the site visits and what we're talking about here today.

From the current USDE's staff report,
Section 602.13, the agency is to demonstrate the agency's wide acceptance among practitioners and educators. Indeed, the process or system is broken. Perhaps the names are changed, but the problems stay the same.

The agency has not responded to engage third-party commenters, such as myself here today. And I'm not fearful, but it appears the agency has sought to isolate, to continue a defensive posture. And I might suggest, because of my testimony, I'm still reeling from two years ago when there was comment made by the agency that there's obfuscation there, and I would appreciate that you take that kindly, but I want to mention it.

Concerning my comments on the COE's own need for a legal counsel two years ago, and that was a counsel that would be available to counsel for consulting on rules, regulations, on the USDOE, governance, and so forth, and that he be present at the Council meetings sitting there amongst them interacting.

The agency responded by saying that there
was available counsel from the legal staff of the AVMA, if requested. My service on the Council never presented that attorney there. The other thing was that there were three public members that were part of the Council at the time that could provide legal counsel. No way. That's inappropriate, totally out of line. So, we're talking about a council that would be skilled in rules and regulations, government concerns with accreditation.

CHAIRMAN PHILLIPS: If I could ask you to draw your comments to a close, please.

MR. WALKER: The agency needs to acquire wide acceptance of the agency's process of accreditation. At this time, there is not trust in the process of accreditation. Here's several examples. In addition to the agency's review issues today, issues following the USDE rules and regulations, the policy and procedures, governance, transparency, confidentiality, conflict of interest. The firewall gives rise to concern and the appearance of impropriety by the stakeholders.

Wide acceptance of the agency process of
accreditation cannot be had where there is concern
about whether the practitioner/educator can trust the
process. Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

Any comments or questions from the
Committee members?

Thank you for joining us.

Our last speaker before the break is Jeff
Newman. Thank you for joining us.

DR. NEWMAN: Thank you for letting me
speak. I'll make this quick.

My name is Jeff Newman. I am a private
practitioner here in Northern Virginia. I probably
had the least drive of anyone. I have a clinic
walking distance from here. I am here wearing two
hats today. I am the president of the Virginia
Veterinary Medical Association. That is an
organization that has about 1,200 members, and the
VVMA did provide to you a letter of support for the
Council on Education.

Maryland and West Virginia also my
colleagues there support the COE as well, and so I
think that when we look at the number of
veterinarians in that one block it's pretty massive,
and I know we're not alone in our support.

The other hat that I wear as the private
practitioner I have six hospitals here in Northern
Virginia. I employ 33 veterinarians and they
represent 15 different AVMA accredited schools,
including three that are foreign. And I would say
that over my 22 years of practice that they have all
certainly met my expectations and I think met the
clients' expectations.

I think that when we are trying to decide
if we're going to consider scraping a program that
works, and I would argue very strongly that it does
work because as a practitioner I can tell you they
wouldn't be working for me if they didn't meet my
expectations and I think what any of our expectations
would be.

But I think to scrap a program out of
fears of a possible outcome versus looking at the
realities on the ground would be harmful to our
profession. So, I would respectfully ask that you
continue to fully support the Council on Education.
Thank you.

CHAIRMAN PHILLIPS: Thank you very much.

Questions of this speaker from Committee members?

Thank you for joining us.

DR. NEWMAN: Thank you.

CHAIRMAN PHILLIPS: Okay, so in the greater scheme of the timeline, we're going to call a break at this time. It's 12:03 by my clock. And I'm going to ask us to be back here by 12:45, having checked out, brought whatever food you want or consumed along the way, we'll pick up with the agency about the commenters and the rest of the action item on this before we pick up the policy agenda. We'll just move things back. So, I will see you back here definitely by gavel at 12:45.

(Whereupon, a recess was taken.)

CHAIRMAN PHILLIPS: We left off with the close of our third-party oral commenters in the matter of the American Veterinary Medical Association and Council on Education. We very much appreciate
the opportunity to hear from all of the people who
came to comment, and appreciate their time and
thoughtfulness in giving us their perspective.

We want to give the agency an opportunity
to respond to us in relation to those comments, if
they would choose to do that. I would invite you to
come forward if you choose to.

Welcome back.

DR. DERKSEN: Thank you, Madame Chair.
We're very appreciative of the opportunity to come
back and even more to listen to the third-party
commenters who have expressed a variety of concerns
that were very important for us to hear.

So, rather than respond to the individual
comments, we would like to hear questions that you
might have that we might be able to address. Would
that work for you?

CHAIRMAN PHILLIPS: Yes. I invite the
Committee to address any questions they would have to
the agency. I'm also going to give the staff an
opportunity to comment to all of this, so just for
the agency for this time.
We'll start with Jill Derby.

DR. DERBY: My question to you -- well, let me say, first of all, that I haven't been here as long as some of my colleagues at the table, but I have to say I don't think I've ever been as concerned as I have been to hear of two of your members being expelled, and I'd like you to speak to that and those circumstances. And I say that I am a great believer that in any deliberative body one wants critics and one wants the diversity of views, and that's a very healthy thing. And often they're bringing a perspective of many others. And certainly, having heard from the president of AVMA, who one assumes would be elected by people who appreciate her expressing their views as well, it left me very concerned that that had happened and maybe you could tell me something about the process by which you expel people and why you do?

DR. DERKSEN: Right. So, to start with, I share your enthusiasm for the spirit of debate and so does the Council. So, the Council is a relatively large body, and we spend a lot of time debating
policy issues as well as specific accreditation
debates. And so, there's a great diversity of opinion
expressed at the Council, and those opinions are very
welcomed.

When it comes to the expulsion of members,
I don't want to comment on any specific case, but
what I do want to mention is that the Council has a
conflict of interest policy that we think is very
important because the integrity of the Council, the
reality and the perception of the integrity of the
Council is important.

Veterinary schools must feel that Council
members are unbiased when they make judgments on
these very important accreditation processes. And
so, in general, I want to say when conflict of
interest policies are violated then the Council acts.
So, specifically, how we do that when these matters
come before the Council there is broad discussion
about the subject and just by Roberts Rules of Order
somebody makes a motion and then it's voted on.

And certainly, there is a great deal of
deliberation about something like this. This is not
something we do lightly, but the Council, as a whole, votes on these matters.

CHAIRMAN PHILLIPS: Arthur Rothkopf.

MR. ROTHKOPF: Can I follow up on that? I share Jill's concerns here. Are you saying to us that both of the individuals who were dismissed or expelled had conflict of interest issues because at least one of them said it was because of statements during the debate last year -- I think it was foreign medical schools or one of the other issues we've heard about, and it was because of that opinion. But are you representing to us that both of these were conflict of issue issues?

DR. DERKSEN: On the first one, was before my time. My understanding is that it was a conflict of interest issue in the first case, but I can't personally tell you that. And the second one I was on the Council, in fact, on the executive committee of the Council. And so, yes, I can categorically tell you that there was a violation -- according to the Council there was a violation of the conflict of interest policy sufficiently severe violation that
expulsion was recommended by vote; and it was a 
unanimous vote.

DR. ROTHKOPF: And you can represent to us 
that this was not because of an opinion expressed 
that was contrary to that of the Council.

DR. DERKSEN: So, again, I do not want to 
go into the -- ask the question again. I'm sorry.

DR. ROTHKOPF: That the expulsion or 
dismissal was not as a result of an opinion expressed 
on a subject in which the individual was taking a 
view contrary to that of the Council.

DR. DERKSEN: So, it was certainly not in 
response to comments at the Council meetings about 
the issues that somebody felt strongly about, but I 
don't want to comment on the specifics of the case.

The case is under appeal at present, so 
that's one of the reasons why.

DR. ROTHKOPF: Okay. I guess I don't know 
quite what to think. I'll ask Jennifer if she has 
any knowledge of this that we could illuminate the 
subject.

MS. HONG: This is the first I'm hearing
DR. ROTHKOPF: Do you know anything about these dismissals and was that a subject that you looked at, at all?

MS. HONG: No. This wasn't explored in the analysis.

CHAIRMAN PHILLIPS: Federico.

DR. ZARAGOZA: We also heard as part of the testimony that reviewers often got very limited training. I think the statement was made that the 45-minute video, but I recall your application spoke of a two and a half day process. Can you provide more information on that subject, please?

DR. DERKSEN: Yes, one of the major changes that was made was that Council members no longer go on site visits, and that we have trained site visitors doing that job for us. So, that required a major upgrade in the training process. So, currently, we have a very intensive, two and a half day training program with case studies and discussions and a variety of things. And the feedback from the site visitors, as well as from the

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colleges that have been accredited by this group, is that the training is effective.

CHAIRMAN PHILLIPS: John Etchemendy.

DR. ETCHEMENDY: Yes, there was another serious allegation that was made about an accreditation decision being changed due to pressure from the AVMA. Could you say something about that? I mean was that true?

DR. DERKSEN: This, again, was before my time, and maybe I think Dave would be the better person to address that one.

DR. GRANSTROM: Well, we have the dean from Western University here, so he can correct me if I'm wrong. I was on staff. I've been on staff a couple of times, and I was here when that whole thing went down.

I can say unequivocally that is false. I know that it's urban legend, but it is absolutely untrue. That's not what happened. Yes, Western was frustrated because they were being sent back and not accepted.

And as the dean talked about, certain
elements of their plans to meet the standards were accepted over a long period of time. And one of the things that the Council does is they form a working group, a subset, a subcommittee of the Council to deal with new schools and to go back and forth so they have access to opinion of the Council members, you know, at will, basically. And some of the other presenters were on the Council at the time were on that group.

They continued to work with Western University throughout that entire period, although there was a lot of unhappiness and indeed a lawsuit, they continued to work with them. They continued to make changes. When they made enough changes that the Council was willing to accept their plan to receive a letter of reasonable assurance what we did at the time, they got their letter.

Phil's recollection is that the lawsuit was dropped before the letter was received. I'm going to have to go back and look at the records. I'm sorry, Phil, I don't remember if that's what happened or not, but I know how it must look, but
that is not what happened. That's just absolutely not what happened.

CHAIRMAN PHILLIPS: Bobbi Derlin.

DR. DERLIN: This is Bobbi. In the comments, one of the prescriptions perhaps to modify this situation is to separate the organization in some way so that the Council is more independent of the trade association. And I'm wondering if you can speak to me a bit about where that proposal exists and whether that might be a good thing or not.

DR. DERKSEN: So, the veterinary profession is quite small relative to many others, and as you can tell there are only 28 veterinary schools accredited in the U.S., and so that makes it important that the process is affordable in the context of accreditation. And so, the AVMA provides a great deal of support to the Council from a financial perspective as well as a staff perspective, and so there are, you know, building staff, finances, all of those things. So, it seems very appropriate to have a council that is supported by the AVMA as it is.
The other thing I want to mention -- and
the third-party commenters have commented on this
also -- is that in my time on the Council, five and a
half years, I've felt absolutely no pressure from the
organization to do anything that the Council wasn't
willing to do or any policies that it needed to make.
So, we set our own bylaws. We have our own rules.
We have our own P&P. We make decisions, and there is
simply no insolence by the AVMA on the accreditation
process.

Someone else might want to add something.

MS. BRANDT: Yes, I just wanted to add
that in addition as a response to the third-party
commenters last time the Council did look at other
options and what other options there would be to
them, and they came to the conclusion that as in many
other associations this the best place for where the
accrediting body should lay. But they also looked
at, even though it was not part of the criteria for
recognition, they also looked at how the Council is
constituted and who appoints the Council members.

And so, as a result of that, they went and
worked with the AVMC and they took it out of the AVMA bylaws and actually made bylaw changes so that now the academic members are appointed by AVMC and the practitioner members are appointed by the American Veterinary Medical Association Selection Committee, and they both independently put in very similar processes to look at the qualifications of those Council members as they come on so that they can elect or appoint the most appropriate and the best qualified Council members that we have available.

DR. GRANSTROM: If I could add, prior to that, they were elected by the AVMA House of Delegates, and there were a number of people that expressed concerns that that process was too political. There wasn't enough scrutiny of credentials, that kind of thing. So, that was something that, in a sense, the bylaws are not controlled -- the AVMA bylaws are not controlled by the Council. They're controlled by the House of Delegates. That was something that had to be done by the AVMA, not the Council on Education, and they did it willingly.
CHAIRMAN PHILLIPS: Jill Derby.

DR. DERBY: Just a quick follow up to that, what portion of those appointed by the AVMA and those appointed by the other body?

DR. DERKSEN: It's eight and eight, so equal proportion.

CHAIRMAN PHILLIPS: Arthur Rothkopf.

DR. ROTHKOPF: Yes, Arthur Rothkopf. It was a suggestion by one or more of the speakers that the reason that these foreign medical -- or foreign veterinary school graduates who take the exam, licensure exam pass is that the licensure exam is so easy. It's really not a difficult one. And I guess I'd be interested, when you look overall what's the passing rate on that licensure exam on the first time you take it?

DR. BRANT: Based on the last data that we have for 2013, for graduates of accredited colleges, it's approximately 91 percent that pass it on the first time as for criterion test takers. For graduates of non-accredited programs, it's approximately 40 percent that pass it on the first...
DR. ROTHKOPF: Thank you.

DR. GRANSTROM: It might be interesting to know that that test is constructed with the assistance of the medical board, human medical board, not just the National Board of Veterinary Examiners. It's an extremely robust test. It's done on a job task analysis. It's psycho-medically sound and legally defensible. It's an outstanding test, and they do an outstanding job with it.

DR. DERKSEN: I can assure you that the students don't feel that it's an easy test. So, despite the fact that 95 plus percent of them pass it on their first take, I don't think you could interview a student that isn't intimidated by it.

CHAIRMAN PHILLIPS: Anne Neal.

MS. NEAL: Just a question, I mean, as I understand it we're not really talking to you about, as Title IV gatekeepers, we're really talking about other gate keeping. And I'm just curious because we've been hearing a lot of negative things about you. Have the regionals where these schools are
located have they been hearing complaints or talking
to you about it, or raising concerns about quality,
or where have they played in all of this?

    DR. BRANDT: We've had no communications
with regards to quality or concerns with the regional
accreditors.

    CHAIRMAN PHILLIPS: Other questions for
the agency? So, don't go away just yet. I'd like to
offer the staff an opportunity to comment or question
the agency on the commenters' perspectives and what
you have heard so far. There is, I believe, also an
interest on the part of many of the room to clarify
why separate and independent is not required in this
case, so you might begin there.

    DR. HONG: Sure. As Anne just pointed
out, this agency is not a Title IV gatekeeper, and
therefore is not subject to separate and independent
requirements. However, in 2012, one of the issues
that we cited the agency on under conflict of
interest was the fact that they had this practice of
sending out Council members as site visitors.

    Basically, they were the same people making the
decisions and evaluating the programs.

The agency has since repaired that and come into compliance under that section and there are no other requirements that they remain separate from their trade association under the criteria.

Also, I just wanted to comment on the assertion that the agency applies its standards evenly for foreign schools and domestic schools. One of the issues that was raised in the staff analysis under student achievement was the fact that it was unclear whether the agency required all of its foreign students to provide NAVLI data, in fact they don't.

I understand that some programs their students have not taken the NAVLI, however, it's unclear whether for foreign programs that do have American students whether those programs are required to provide NAVLI data and whether the agency reviews it in accord with its standard. Nothing in the standard as it's currently written suggests that it would hold a program to providing NAVLI data.

And secondarily to that is the use of this
confidence interval, which it appears it reserves for
foreign schools for small samples. Again, it's not
clear whether that's employed for domestic programs
as well. So, I just wanted to clarify that.

DR. DERKSEN: May I respond to that? So, the standard reads 'The Council expects that 80
percent or more of each college graduate senior
students sitting for the NAVLI will have passed at
the time of graduation.' It says, 'If the pass rate
for a college falls below 80 percent, the Council
will calculate a 95 percent exact binomial
confidence interval for that college and that if the
upper limit of the confidence interval is less 85
percent for two consecutive years the college will be
placed on probationary accreditation.'

This rule applies through every college,
foreign and domestic. And so, this standard is
applied evenly to every school with the possible
exception of the schools where there are no students
who take the NAVLI. So, there are a few. I don't
know how many schools, where there are no students
who take the NAVLI.
And in those cases we use other measures of outcome assessment to evaluate the quality and the outcomes of the program. But this NAVLI standard, as I just read it, is applied to every school, foreign and domestic.

CHAIRMAN PHILLIPS: Thank you for clarifying. John Etchemendy.

DR. ETCHEMENDY: So, this is a question actually for the Department, for Jennifer or maybe even Herman; is this the time to ask it?

CHAIRMAN PHILLIPS: Absolutely.

DR. ETCHEMENDY: It is about the independence requirement. So, I'm curious. If being a Title IV gatekeeper is not at issue here, then what hangs on Department of Education recognition -- I should say this is my second meeting. I'm new, right, so I'm going to ask a stupid question.

So, what hangs on Department of Education recognition for those accreditation organizations who are not Title IV gatekeepers? And whatever that is why is the independence requirement waived for those organizations that are not gatekeepers? Why aren't
all the requirements waived, or why that one? So, something must hang on it, otherwise, I don't think they would be here hoping to be recognized and going through all of this pain.

DR. HONG: Well, the agency's link, the agency's link for federal purposes, is that graduates can take out more loans, in fact, if they're AVMA accredited. Now, the requirement that programmatic accreditors are not subject to separate, independent requirements is statutory. It's in the law.

DR. ETCHEMENDY: But why? More loans that are more Title IV government guaranteed loans.

DR. HONG: Yes, more Stafford loans.

DR. ETCHEMENDY: In case there is a dependence for federal funding purposes to being recognized even if you're not a gatekeeper. I mean that sounds like a gate keeping thing.

CHAIRMAN PHILLIPS: If I could ask Herman or Sally to address the larger question of what counts as a Title IV gatekeeper and what doesn't in terms of what you get from it and then whatever you can about the 'But why?' question.
MR. BOUNDS: Yes, I can't answer why the statute -- I mean I don't know what went into the statute being developed that way, other than it is. But you also have to keep in mind even though they don't have to -- they're not subject to the total separate and independent criteria, there are criterion that clearly indicate that their bylaws, that the trade association cannot have any influence with accreditation decisions. So, that portion is still there. They have to be able to establish those policies and those can't be influenced, but maybe Sally can address why the statute was written that way. I don't know. She's looking at me like why are you asking that?

MS. MORGAN: I don't mind telling you that there's nothing in the legislative history, so we don't know why Congress made this decision.

DR. ETCHEMENDY: What about Susan's other question, which is can you clarify exactly what the gatekeeper role is? What are we granting when we grant accreditation to a -- grant recognition to an accreditation organization that is not a gatekeeper?
MS. MORGAN: The gatekeeper, the statute sets out two separate categories. It has a purpose for participation under this Act, meaning the Higher Education Act, the federal student aid. And then there's another provision that I guess pertains to this agency for the purpose of participation in other programs administered by the Department of Education or other federal student agencies. So, that's what this one falls under. So, that the general federal financial aid programs, the Stafford loan, the Pell, the campus-based they would be Title IV gatekeepers.

I'm not sure about this particular link. It might be -- well, I'm just not sure about what that other program is that is administered by the Department of Education, but apparently there is one.

DR. PEPICELLO: Yes. Excuse me. In fact, if you see in our materials -- this is Bill Pepicello -- this does offer access to the Health Profession Student Loan Program, which is administered through the Department of Health and Human Services. So, that's at the more granular level, John, and that's the answer to your question.
CHAIRMAN PHILLIPS: Art Keiser.

DR. KEISER: John, yes, and also provides access to the CVIS and to the immigration status for allowing students from foreign countries to study in the U.S., which is an important consideration for, I would assume, many of the vet schools.

The other part is the history. This goes back to the '92 reauthorization. Historically, accrediting agencies were tied to a trade association. That was a requirement when accreditation first evolved. Then in the challenges of the late eighties and early nineties, the Congress decided that it was like the fox guarding the hen house and that in Title IV issues there would be a separation.

Up until that time, most of the agencies, like COE, was part of this other association of colleges, Southern Association of Schools, and it evolved where there were then four commissions and then they all broke away, at least the COE broke away from the trade association, which was the Southern Association, so it's evolved.
CHAIRMAN PHILLIPS: Jennifer, will you try
to answer something?

DR. HONG: Yes, I would add -- to keep in
mind that the unit that this agency is looking at is
the program, at the program level, right, so for HEA
purposes, a gatekeeper would establish eligibility
for institutions, free-standing institutions, but
this agency does not serve in that function.

CHAIRMAN PHILLIPS: Art Keiser.

DR. KEISER: Jennifer, I have a question.
I'm a little troubled. I don't have a lot of
trouble, but I'm a little troubled with the removal
of commissioners for cause and how it happened, and
the fact that was not part of the oversight of the
staff. Was it just not brought up to you or was it
not -- because usually we cover the governance pretty
carefully in terms of membership and those kinds of
actions?

DR. HONG: Yes. I mean I don't recall
this being raised in the written comments. There are
certainly many allegations, and some which did
intersect with findings of noncompliance in the staff
analysis.

DR. KEISER: That one was not a finding of noncompliance.

DR. HONG: Right. I mean there wasn't -- had it been alluded to in a written comment, for example, that someone had been removed it was not supported by documentation. But I don't recall -- this is the first time I'm hearing about this detailed situation.

DR. KEISER: If I were to recommend that we look at that, would that be able to be done within the time limits that was recommended by the staff?

DR. HONG: I mean looking at this particular issue regarding removal?

DR. KEISER: The particular issue of removal of commissioners with or without cause.

DR. HONG: And you would be tying it to which criteria?

DR. KEISER: I'm sure I could find one.

DR. HONG: Okay.

DR. KEISER: I'm pretty good at that.

CHAIRMAN PHILLIPS: Other questions of the
staff or of the agency? Bill Pepicello.

DR. PEPICELLO: This is Bill Pepicello. I think more in the line of a comment to both the staff and the agency about an opportunity that I see here as I listened to the broad array of input today. It seems to me that there are several major disconnects amongst all of the relevant constituencies here in a variety of ways, one of which is obviously there is some sector who feel that their concerns are not being heard, or if they're being heard, they're not being addressed.

And certainly, I think that's part and parcel of some of the things that would go into the next round of this report. It gives the agency an opportunity to show, yes, we hear issues. There are ways of addressing them internally without having to have recognition removed or suspended, which I think makes some sense.

I think there is a disconnect amongst some of the folks that we heard testify today as to some of the basic issues surrounding accreditation and how it works, and the peer review process. And I think
in many cases, and I'm not pointing a finger at any particular constituency here, it might be incumbent upon the agency to help educate those constituencies because I think the better understanding might lead to a more collaborative and collegial atmosphere here.

So, at least I will be looking in the next reports for evidence that what you have put out in good faith today in saying that, yes, we're going to make a better effort to listen to people maybe as we discussed, have a parallel process for helping incorporate some of these thing will become evident as we go forward.

And so that is actually not just for the agency and the staff, but I think for many of the folks who participated here today. I think it was very productive, but I think we need to take away the fact that communication is key to resolving things going forward.

CHAIRMAN PHILLIPS: Anne Neal.

MS. NEAL: Just following up on what Arthur was asking, and I think we've had the issue of
a recusal regarding a different viewpoint come up here, which also came up with NACIQI earlier this morning. And then, as I hear it, we also are having this issue about how would it be possible to raise some concerns. For instance, several people who've been removed from the board if they hadn't mentioned it to us here today -- Jennifer had not heard about it otherwise -- is there a process where complaints can be registered in the course of the period and then transmitted to us as NACIQI members from the staff so that we would be apprised of these kinds of things that otherwise seem to have by serendipity been revealed in the course of the third-party comments?

DR. HONG: I mean, indeed, the Department staff receives complaints on a regular basis that we follow up, do an investigation if these complaints come in with supported documentation and suggest noncompliance issues with the criteria the Department staff does follow up with those issues.

MS. NEAL: And do you advise us of your outcomes on those?
DR. HONG: Yes, I believe we have. I think in many of the previous reviews in the petition they're incorporated as complaints. For example, in the respective sections I know we've done reviews of agencies where a complaint has come in and we've incorporated -- if it yielded in a noncompliance, we've put that in the respective section of the analysis, so yes.

CHAIRMAN PHILLIPS: And I would add also that that's the point for which I've asked some specific clarification and communication to the Committee before our next meeting.

Further questions of the staff or the agency? And as Simon is speaking, I will be looking for a potential motion for action.

MR. BOEHME: Dr. Derksen, would you say that before you took over that there was a culture issue within the Council?

DR. DERKSEN: No. Most people know me as a very opinionated person, and I have very strong views on the Council, and when I came in five and a half years ago I expressed those. And I wasn't
always in the majority. In fact, commonly, I was
not, but I felt fully respected when I expressed my
comments and many of these things were handled like
they should, through motions and votes and those
sorts of things.

And so I really believe within the Council
there is a very open -- culture of openness for
various points of view, and a real concern that we do
the best for the profession. And so I do not believe
that there's a culture of insularity as has been
claimed in the Council.

The point that was made earlier about
communication, I think, is something that I
personally want to take to heart. I really believe
that we've not reached out to the broader profession
sufficiently to make sure that what we're doing is
understood, that people feel heard, and that the
process that we use is as clear as it should be, and
so we will be working on that.

CHAIRMAN PHILLIPS: Jill Derby.

DR. DERBY: Just quickly, I would like to
in the follow up, hear evidence of you reaching out
to your critics as well.

DR. DERKSEN: Exactly. I am personally somewhat surprised by all of these comments, the negative comments that I hear. I was fully aware of the various viewpoints in the profession related to distributive modeling and foreign accreditation, but I was somewhat taken aback that a number of comment and commenters about this like I think you are. And so, what we had, or at least I had assumed, is that we have a process where people can bring their concerns forward and so then we have an opportunity to listen to those and move forward.

But what that doesn't include is really reaching out to particularly our critics to see what we can do to come to a consensus, and this is what we need to do more of, I think.

MR. BOEHME: Yes, I completely agree with Jill. I find this very concerning. I don't know if it's a culture issue or what's going on, and I find it concerning that a lot of these issues are just coming up here in this forum. Can you describe the process as to how people can reach you and bring up
these opposing viewpoints?

DR. DERKSEN: Yes. To be complete, so basically, we send out a survey, random, stratified to 5,200 practitioners, 2,400 veterinary educators, 1,400 veterinary students, all the deans, presidents of state associations as part of a systematic review of standards.

We have a website where commenters can reach us. We have email, and people can write letters. And so, there is plenty of opportunity to give us feedback, I think the critique that I hear is that's a one-way system of communication. I think there is plenty of opportunity for people to let us know what they feel, but if they don't make use of the opportunity we have not been proactive in reaching out to critics, if any of them are out there, and interact with them to reach consensus.

CHAIRMAN PHILLIPS: Question, comment, or motion?

DR. ZARAGOZA: Actually, motion, Madame Chair, if it's appropriate.

CHAIRMAN PHILLIPS: One moment, please.
Thank you very much for joining us. I'll invite you to step back, and we'll finish our deliberations.

(Pause.)

CHAIRMAN PHILLIPS: Okay. Recognizing Federico Zaragoza, who I understand has a motion.

DR. ZARAGOZA: Madame Chair, for the purpose of discussion, and certainly open to any friendly amendments on your concerns, Madame Chair, I move that NACIQI grant the American Veterinary Medical Association Council on Education an extension of its recognition for good cause for a period of six months and require the agency to submit a compliance report demonstrating its compliance with the a set of criteria within 30 days of expiration of the six-month period with reconsideration of recognition thereafter, including review of the compliance report and appearance by the agency at any second meeting to be designated by the Department.

Regarding the new finding under 602.13, continue the agency's recognition and require the agency to come into compliance within 12 months and
submit a compliance report that demonstrates the 
agency's compliance with wide acceptance among 
practitioners under 602.13.

CHAIRMAN PHILLIPS: Thank you. Do we have 
a second?

DR. PEPICELLO: Second, Bill Pepicello.

CHAIRMAN PHILLIPS: Thank you. Further 
discussion?

DR. KEISER: Madame Chair, I still have a 
concern with an issue that was previously addressed, 
which is 602.15, administrative and fiscal 
responsibility number six, which is clear and 
effective controls against conflicts of interest or 
the appearance of conflict of interest by the 
agency's eye as board members, and I am concerned.

And again, I don't think there's an issue, 
but I think it would be worthwhile for the Commission 
to respond to that particular issue as it relates to 
due process and the removal of two board members and 
did that follow the conflict of interest policy as 
they have written it. So, I would cite 602.13. I 
would add 602.15.
CHAIRMAN PHILLIPS: Art Rothkopf.

DR. ROTHKOPF: Yes, it's Arthur Rothkopf.

I don't think I oppose the motion, but I just express the concern. I forget the motion that was passed a year ago. I don't know whether in six months or a year we're going to go through this again, and I don't know how we deal with that possibility, maybe even probability because there is such deeply embedded concerns here, such as the one about the research programs aren't good enough and some of the schools just simply don't meet standards and that the exam's too easy kind of summarizes some of those. And those aren't going to be solved by a technical satisfaction or not of these rules.

And I don't know where that leads me, but just sort of have a queasy feeling we're going to be back here in a year with 30, 40, 50 people saying to you this is still going on, so I put that out there because I don't have a solution.

CHAIRMAN PHILLIPS: Further discussion?

Yes.

DR. PEPICELLO: Yes, this is Bill
Pepicello. To follow along with that, I agree with your concern, Arthur. I think that is what I meant when I said I'm going to look in the next report for much more evidentiary basis for what's said. I mean to say that the test is easy, well, I don't know what that means. And I think that -- I hope that the critics will take that to heart, and I know some of them did that. There's a difference between allegation and opinion and being able to establish that there's a deficiency that needs to be addressed, and I think we'll look for that from both sides on the next round. And if we determine at that time that there is something still going on, then I think we will need to consider what our action would be.

CHAIRMAN PHILLIPS: John.

DR. ETCHEMENDY: Just on the issue of the test being too easy, what was actually said was that the test was easy. It only tested for minimal competence to practice. I would take it that's what the test is supposed to test for, and so too easy? Too easy for what?

CHAIRMAN PHILLIPS: Further discussion?
Federico, may I assume that the addition of 602.15 is an amendment.

DR. ZARAGOZA: Yes.

CHAIRMAN PHILLIPS: Thank you. If you're prepared to move to a vote, further discussion?

All right, the motion, I believe is up.

If you want to take one last review of it.

(Pause.)

CHAIRMAN PHILLIPS: Those in favor signal by saying aye.

(Chorus of ayes.)

CHAIRMAN PHILLIPS: Those opposed?

(No response.)

CHAIRMAN PHILLIPS: Those abstaining?

(No response.)

CHAIRMAN PHILLIPS: Okay, that motion passes, and that completes the review of the American Veterinary Medical Association.
Thank you very much.

We're going to take just two minutes to shift gears. I expect that there will be some people leaving the room, so thank you for joining us and we'll pick up the policy agenda now these two hours after we thought we were going to get there for the rest of the afternoon.

(Whereupon, a recess was taken.)
POLICY DISCUSSION

CHAIRMAN PHILLIPS: We had intended today to be able to continue to review the development of what I call the 2014 accreditation policy recommendations report.

Just some backdrop here is that you'll recall at our meeting in December, a year ago, we identified the need to consider policy issues now that the 2012 NACIQI report was two years old and a number of other things had transpired. We had a number of stimulus points to put into this discussion, the training webinar, some background reading, a set of policy papers, a set of panels at our June 2014 meeting.

We emerged out of that 2014 June meeting with a set of four tasks that we wanted to focus on for this development. Two subcommittees were formed to work on developing some ideas and recommendations for those four tasks.

The first subcommittee chaired by Art Keiser focused on Tasks 1 and 3 to simplify and to address funds. Those included developing
recommendations to simplify, considering common
language, common definitions, simplifications of
structure, zero-base study of regulation, possible
alignments across the triad, ways to reduce the data
burden.

Task Number 3 was to develop
recommendations about the relationship between the
quality and quality assurance processes and access to
Title IV funds. And that, of course, included
considering a range of models of financial aid
eligibility, considering an indemnification. And
across all of these to consider the cost-cutting
themes, many of which we heard this morning of
access, innovation, affordability, and quality.

The second subcommittee headed up by Frank
Wu focused on nuance and NACIQI. Frank was sidelined
in what is being called the storm of the Century on
the West Coast, so he's with us in spirit, but not in
the flesh.

His subcommittee worked on developing
recommendations to enhance nuance, and the
accreditation recognition process, such things as
considering the risk-based accreditation or variable
expedited terms/conditions of reviews of institutions
and of agencies, and also of the role of NACIQI,
developing recommendations about the role and
function of this body, including our role as a policy
advisory body, possible assistance in addressing the
triad and relationship to the Department staff and
expertise, again with the same crosscutting themes of
access, innovation, affordability, and quality.

These subcommittees worked together --
worked separately over the summer and fall months and
advanced a draft set of recommendations that is now
available for the full committee to review for the
first time.

For those of you in the audience, I have
asked a copy of this to be available to you. It
wasn't available before today. This is actually
coming out quite recently. And I wanted to begin our
process today with just a caveat that this is the
first opportunity for many of the Committee to review
the full set of recommendations. It is absolutely
the first opportunity for us to have a discussion as
a full committee of the topics that have been chewed
on in the subcommittees over the past several months.

Obviously, this is not a final document in
any sense of the term. Our goal today is to afford
us the opportunity to discuss the ideas that are
developed by the subcommittees and for us to begin to
be able to assess where we are in terms of
concurrence or divergence of views on these possible
recommendations.

There will be no formal votes, but doors
closed. Thank you. There will be no formal votes
taken. There may be a straw poll or two along the
way as we see where our discussion takes us.

Once we complete this part of the
discussion today, I want to assure the Committee and
the public that there will be a document put out for
public comment. We'll be interested in hearing what
the feedback and input is on that, and take that into
consideration in the next revision and ultimate vote.
So, we are very early in the draft stage. I want to
assure people of that case.

That said, I want to also note that
because of various travel schedules we will fall
below a quorum quite quickly, in probably about 20
minutes, and realize that we don't have a full
complement of our membership even to begin with. So,
recognizing that this is a very constrained
correction, for the time being, but at least an
opportunity to get it started.

Yes, Jill Derby.

DR. DERBY: Will you let us know what is
the plan to continue the conversation? Will we have
the opportunity at the June meeting, or is that too
late?

CHAIRMAN PHILLIPS: Well, one never knows
what Congress is going to act on and what timeline,
but the prevailing view at the moment is that there
would be still opportunity to get input into the
Higher Education Reauthorization, if we were to
extend our conversation through June.

DR. DERBY: Can I do an addendum to that?

Just that, you know, my experience in terms of being
on a subcommittee was not entirely satisfying in some
ways, just trying to get everybody on the call, which
often didn't happen and then just people's busy schedule and so on and so forth.

On top of that, the face-to-face deliberations are always so much better, so I didn't know if there would be another opportunity to really go at this. And I also wonder sometimes if we couldn't do it at the beginning of our meetings rather than at the end of our NACIQI meetings.

CHAIRMAN PHILLIPS: We could. This meeting was unusual on many counts. We had the opportunity for the Under Secretary. I would take that any day. And I actually already invited him back, and we have a shortened meeting for a number of reasons, including the lack of government funding after tonight. So, in planning this meeting, there was a bit of a challenge of logistics.

So, yes, I expect that the June meeting would be a full complement meeting of time. I do not expect us to have an opportunity to have face-to-face interactions, physical, live, real time face-to-face interactions before then, but we have been talking about putting together an opportunity to interact in
a conference call or a webinar. That's always a little clunkier. But as we go through this conversation, we may be able to see what's appropriate for our next step. Arthur -- Art. Sorry.

DR. KEISER: Susan, I don't know if this is good information or bad information, but it came from a pretty good source that there is a possibility that this is going to be expedited and that it may be done by the time -- well, certainly in the process of being done by the June meeting. So, we may want to look at a stopgap just in case this thing starts moving.

CHAIRMAN PHILLIPS: Great. Jill?

DR. DERBY: One more comment --

CHAIRMAN PHILLIPS: Yes.

DR. DERBY: -- if you'll allow me. I was quite intrigued with what the Secretary said earlier today about indicating interest in greater input, dialogue between us, and so on and so forth, sort of opened the door that to me invited more conversation and more discussion, maybe expansion on some issues
that we really weren't able to get to as much as I think we would want to weigh in on, so I just want to put that into the conversation.

CHAIRMAN PHILLIPS: Thank you. Arthur?

DR. ROTHKOPF: Just one point, and I've heard the same thing as Art has heard, but I think it's important, and I don't know how we do it. Modern technology, it seems to me, can get us to be talking before June in a meaningful way, whether the Department can manage that is another question or whether there's the money for it.

But I think it would also be important, as the Department is putting together its recommendation if we come to some conclusions it would be wonderful if the Department could endorse or even incorporate our recommendations in at least part of what the Department says.

I think that will increase the likelihood of those recommendations being part of the final legislation, but I think considering the new personalities involved and the new makeup of the Congress, I think things may move more quickly than
people expect.

CHAIRMAN PHILLIPS: So, it would be a good thing for us to proceed with all due haste and to be able to have sets of recommendations that we've discussed and deliberated and agree on that we would like to advance.

With that in mind, I'm going to go a bit out of order in this because I know that Bill Pepicello, who's going to do his best imitation of Frank, has to depart relatively early.

What I'd like to suggest, again, this being a first opportunity for us to have this full review, is to walk through each of the task areas and the recommendations. I'll ask the subcommittee leader to give just a quick snapshot of what was presented and why, invite comment, question, agreement, disagreement, whatever the Committee views, move onto the next one, see if we can get through as many as we can.

With that in mind, I'd like to start with Task 2, which is the nuance task, and this was to consider how to enhance nuance in the accreditation
recognition process. There are, I believe, five sub-recommendations. And Bill/Frank, I will turn over the table to you.

DR. PEPICELLO: Well, thank you. I'm probably not as eloquent as Frank, but I'm here, so I win.

To look at Task 2, enhancing the nuance in the accreditation recognition process, and because many of you are seeing this for the first time, I'll very quickly read the overview.

And this set of recommendations are the result of, we believe, a current review structure that's too rigid to accurately address the uniqueness of institutional missions, given the current state of the United States. We believe there's a need for more differentiated process that allows for different levels of accreditation, for more transparency and openness in the accreditation and the recognition processes, and a more laser focused emphasis on student achievement and student outcomes.

We believe that specific standards-setting authority within those mission-essential areas lies
expressly within the accrediting agency. So, that was the overarching issue that drove the set of related recommendations here, and I just quickly go through them.

Essentially, 2.1 is directed at having more substance versus form in what NACIQI does, and that is to get out of some of the more granular and technical aspects and to really give greater attention to assessing the role of an accrediting agency and ensuring the health and well-being and the quality of institutions of higher education and their affordability, a discussion we've had many times here, and then flowing from that the other recommendations get more specific as to what 2.1 means.

Specifically, we would direct NACIQI to identify the essential core elements and areas of the recognition review process that accrediting agencies require be taken into account and as well as those that NACIQI accrediting agencies should not be taking into account.

There's an exemplary list. It's neither
exhaustive nor anything we would want to put in stone, but these are some of the sorts of things that we thought might be specifically looked at. And as you see right below, the emphasis here is on what the accrediting agencies expectations should be and the list will not include some things that we might not think are appropriate. And things that might come up for discussion in that regard would be some areas of governance and social policies, for instance. And again, that's not an exhaustive list, but merely exemplary.

Then if we go down to 2.3, we're just talking about areas that we would recommend accrediting agencies be given greater authority, and that is developing standard tailored to the institutional mission, different tiers of accreditation that might also be related there, and using different processes for different types of institutions, including expedited processes.

2.4 is to establish the recognition review process to differentiate among accrediting agencies based on risk or need, something we heard earlier
today, with some institutions identified as requiring
greater levels of attention and others lesser.

And then finally, establish that

recognition and recommendation decisions include
different gradations of approval of accrediting
agencies, and different recommendations as the amount
of time in which an agency may come into compliance.

So, all of this is sort of move away from what we
have today, which is a one-size-fits-all, and
allowing greater flexibility that recognizes that
institutions have much more variability now than in
the past.

CHAIRMAN PHILLIPS: Thank you, Bill.

We open up for questions and comments.

We'll start with John and then I have Roberta.

DR. ETCHEMENDY: So, Bill, I'm curious
about I guess 2.1 and 2.2. Is that, particularly
2.1, is that intended just to say that the staff
should be doing what they're doing just as they
currently do, but then NACIQI should focus on these
important things, or is it to say that some of these
less important things should receive less focus, even
by the staff, which is what I would want.

DR. PEPICELLO: Yes, it's the latter.

That's exactly correct.

CHAIRMAN PHILLIPS: Bobby.

DR. DERLIN: Bill, I just have a quick question on 2.3, the first bullet on standards tailored to institutional mission. When you discuss this, you identified that institutional missions are so much more varied now. Is this to suggest a plethora of standards, or just standards uniformly applied should recognize institutional mission?

DR. PEPICELLO: Not that there's a plethora, no, but know that not all apply to all institutions.

DR. DERLIN: Okay.

DR. PEPICELLO: So, it's your latter.

Yes.

CHAIRMAN PHILLIPS: Arthur.

DR. ROTHKOPF: Yes, Arthur Rothkopf.

I was a member of this subcommittee, and I have to say Frank and Bill did great job --

CHAIRMAN PHILLIPS: Please observe the
eight-inch rule.

DR. ROTHKOPF: Frank and Bill did a great job here. I just have a point of almost drafting, but if you look at the emphasis language under 2.2, one of the things that I think we agreed to that the accreditors are not going to get into areas such as governance or social policies that don't go to the student achievement question. But it's not in the actual language of 2.2 itself, and 2.2 just say, well, they're going to look at these things, but it doesn't suggest that they're not going to look at the other.

And I would urge, just as a drafting point, to make that clear that they're not going to spend time looking at what I think are group or extraneous matters that don't go to the student learning process, which is what we considered to be the key. So, I'm suggesting some redrafting of that, to take it from the italicized language and put it up into 2.2.

CHAIRMAN PHILLIPS: We have Art and then Anne.
DR. KEISER: I'm not sure I understand.
Are you saying that accreditors should not look at
governance and should not look at the administrative
side, only student learning and achievement, or is
this just us? I'm trying to understand what you're
saying.

DR. ROTHKOPF: Well, what I'm saying is
this language says that they will not infringe on the
institution's autonomy, including areas such as
governance or its social policies. And I guess what
I'm saying is if that's -- and that's what it says,
but it's kind of there, if you will, a committee
report language as oppose to statutory language. And
if that's what we mean, then we ought to put it in
the statute.

DR. KEISER: That doesn't make --

DR. PEPICELLO: Let me see if I can
clarify some of that for you, Art. The reason it's
down there in italics and not as a bullet point was
that there was a great amount of discussion, and I
think not complete consensus in this area.

I think the idea, Art, is that we need to
review things that accrediting agencies are holding
the accreditors to, to determine whether some of
things might not be relevant currently that we
thought were relevant previously.

Now, the governance or social policies,
for instance, are things that we might want to look
at, but there might be a variety of things that don't
go to the heart of accreditation that we would want
to reconsider as vital factors.

So, it's a little more general, and Arthur
is a little more specific on some of the things that
he feels strongly about and I think various other
folks had some opinions too, but at this point it's
something that I think would benefit from the
discussion of this group.

DR. ROTHKOPF: Well, I find it hard to
understand how institution that does not have a
strong governance process, that does not have strong
administrative process, that does not have fiscal or
financial responsibility can have positive student
learning outcomes, so I don't think they're mutually
exclusive. I think if you wanted to go somewhere it
could be that the agencies are not prescriptive as to an institution's mission and process, but they have to make a case for it.

For example, I can see a school that has an extraordinarily strong religious mission would be different from the opposite side of the fence, which would be a very, open liberal arts mission, and consequently, they would have governance structures that are different and operational structures -- I think the accrediting commission should be open and adaptable to the diversity of missions and governance, but not step away from that discussion.

DR. KEISER: Maybe, and I think you're, Art, viewing governance more broadly than I was, maybe it's the terminology here. But for example, I don't think it's up to the accreditor to decide who gets elected to the board, how the governing board is selected.

One experience I had was the accreditor was saying, well, they need to change. They should have term limits for members of the board. Well, I personally I don't think that's the business of the
accreditor to say whether there's term limits or not.
The question is is the governance process working well.

On social policy, you may have an institution that because of their mission says diversity is not important to us. To me, diversity is extremely important and many institutions count that as very critical. This institution says, no, we don't want to. I don't think it's up to the accreditor to say you must have a diverse student body. I don't think that's the business, so that's really, I think, what we were talking about.

CHAIRMAN PHILLIPS: I've got somebody on hold over here, Jill Derby, and I will come back to Art.

DR. DERBY: Well, I just need to be clear about exactly what you're saying, as somebody who works with boards in their governance and knows that there's a very close relationship between governance, effective governance and quality of student outcomes, and all of that. I think that's absolutely a critical area for accreditation.
CHAIRMAN PHILLIPS: Thank you.

DR. ROTHKOPF: I think today is a good example, and even our own issues in terms of conflict of interest. And the purpose of the accreditors is to provide a structure for an institution to have good practices, not specific practices, and good practices eliminate conflict and eliminate threats that could endanger the academic freedom of an institution. So, I think, again, as long as they're not prescriptive to a point and allow for openness, I think accreditors need to be in this area of discussion.

CHAIRMAN PHILLIPS: Anne.

MS. NEAL: Well, I'd like to weigh in with Arthur in this. I mean I think we heard from the Deputy Secretary this morning about the need to focus on rigor and quality, and I think that going forward, as we look at ways to improve the system we need to focus on rigor and quality. And when accrediting bodies are spending more time looking at whether or not the governing board approves or disapproves of the president, they're spending less time looking at educational quality.
So, I do believe that it's important for us to zero in on student learning and educational quality as the fundamental role of accreditors. And I think that as we look at the history of American higher education one of its great strengths has been institutional autonomy. And to the extent that we have accrediting bodies, which are largely made up of administrators and faculty second-guessing how boards should operate or how institutions should operate I think that undermines that autonomy, which is really an institutional decision and is frankly separated from the peer review role, which was the initial focus of accreditation to ensure educational quality of our colleges and universities.

CHAIRMAN PHILLIPS: Further comment?

Bobby?

DR. DERBY: I just wanted to ask how critical the 'such as" or the 'e.g." lists are because I think I heard in the conversation Arthur advocating for if you're going to have a list of what is to be focused on we should have a similar detailed list of what we're not going to focus on.
I think the conversation that just occurred is very substantive, but is that, given timing considerations, if you put a period after the word 'outcomes" and did not have the specific listing would the recommendation be furthered or turned into nothing?

DR. PEPICELLO: This is Bill. The lists are not meant to be final or all inclusive, and these were areas that did come up. I think the more specific question is is there a list of things that we need to look at to decide whether or not they are central to accreditation decisions; and if so, what would that list be? I think that was more the spirit.

And I think various folks have some ideas about what those specifics might be down the road, but at this point I think if there's going to be a list of things then I think it makes sense to say is there -- a list of things to do is there also a list of things not to do, or to your earlier point, Bobby, is there a whole set of things and some of them apply in some cases and not in others?
Are there a list of things then, let's just say, for the sake of argument, governance, that is more important to some institutions that are governed by certain agencies and not to others. And I think that was the spirit of putting that in there.

CHAIRMAN PHILLIPS: If I could just make an observation. You know, clearly, there are some viewpoints about what ought to be on what list and how many lists there should be, but I would note that 2.2, the action item is that NACIQI is to identify the lists. So, the discussion about how many lists there are and what's on them is a task that we would be directed to do, that our recommendation is to direct us to take up that issue.

I believe that that's what I'm reading here. Correct? So, you could just put that period in without losing any of the ground that needs to be taken later. Bobby, Anne?

DR. DERBY: Well, I was just going to say then those remarks I would view as supportive of let's put a period after 'outcomes" and work on the fine points later.
CHAIRMAN PHILLIPS: Anne.

MS. NEAL: I just thought it was noteworthy that the two differing groups came up with a very similar set of exemplary items. The one which was clearly in all of them was whether or not schools employ nationally-normed assessments and what those assessments show. I think, to me, that gets at the very nub of what we so often are missing in our discussions as to whether or not schools are actually adding educational value and whether that is clear to the accrediting body.

So, I wanted to just second and say here here to an effort to focus on whether or not students are actually having learning gains and that that is, in fact, what accreditation should be focused on.

CHAIRMAN PHILLIPS: John.

DR. ETCHEMENDY: So, I'm all in favor of identifying the essential core elements. I actually do like having examples. I happen not to like the example that Anne just picked out because I think the nationally-normed assessments are -- I think there
are very few nationally-normed assessments that have
been shown to be effective as a measure, at least for
all institutions, for certain institutions be
effective as a measurement of actual student learning
and student outcomes.

I must prefer the external measures like
graduation rates, employer satisfaction, placement,
gainful employment, things of that sort, which I take
to be indirect indications of student learning, which
can't be fudged. I mean they're actually a better
measure even though they are indirect.

That said, I would be in favor of doing
what Bobbi suggested, which is just put the period
there. And since it's a direction for NACIQI to come
with the examples or the items, then we can do that
later rather than try to do that right now.

CHAIRMAN PHILLIPS: Pepicello.

DR. PEPICELLO: Yes, this is Bill.

Yes, I think the point that you're making,
and actually Susan made it, is that these lists were
here just for demonstration purposes. But what we're
really saying is NACIQI needs to go ahead and
identify what these items are, whether they're external or internally or the nationally-normed that would be the substantive discussion we'd have going forward.

CHAIRMAN PHILLIPS: Just a quick straw poll of this. If we suspend that list question for the moment, the rest of what's in Task 2, substance or reform and the specific ideas that are mentioned there is there general support for that, concern about it? It just seems like it's a going forward thing where there's this what lists there should be and what's on them issue, but that's the only thing that seems to be generating discussion here; is that right?

So, let me, again, just in the interest of time and knowing that we have some concerns, let me ask Frank to continue on with item number 4, which is NACIQI's role and function. And again, this is quite out of sequence, but just in the interest of time.

DR. PEPICELLO: Okay.

CHAIRMAN PHILLIPS: Ask Bill to channel Frank again. Thank you.
DR. PEPICELLO: Thank you. And again,
just to go over the overview quickly for people. The
recommendations here reflect an underlying concern
that in many ways the NACIQI currently has relatively
little authority to improve the process and quality
of higher education. And of course, this is
something that Frank holds dear. I'm sorry he's not
here to do this, but while the ATOA mandate suggests
a central role, NACIQI is captive to the current
processes that leave all decisions to the Department.
NACIQI's current role is ministerial, but not
significant.

The Department does not utilize the
expertise of the NACIQI members as nearly as much as
we think they might, nor entrusted us to make
decisions and as a result sometimes our work, we
feel, can be blunted.

Further, it's necessary to clarify and
better define the role and each step regarding the
NACIQI's role going forward and to ask what
assessment options best ensure that an adequate level
of quality education is offered by the institutions
accredited by a recognized accreditor.

And lastly, a major piece of this is facilitating the communications process so that we have a better defined and clearer communication opportunities and touch points between the Department and NACIQI.

So, from that overview, if you go down the recommendations, number one is to reconstitute NACIQI as an operational committee with terminal decision-making authority and a staff which would establish NACIQI as the final decision-making authority on accrediting agency recognition.

Then 4.2 is alternative to that, which is to establish that the staff recommendation is provided to the NACIQI for its consideration and that the NACIQI recommendation will be the singular, final recommendation to the senior Department official, which would keep things relatively as they are with the decision-making piece different.

4.3 establish that in the event of an accrediting agency's appeal of a recommendation, NACIQI, without the Department staff, will respond to
the accrediting agency's appeal submittal to the
Department.

4.4 is to establish that NACIQI and the
Education Secretary and other Department officials
meet periodically for mutual briefings and
discussions, including policy issues such as gainful
employment. You see now we're moving into the
communications piece of the overview, and then 4.5
establish that NACIQI itself timely disseminates its
reports to the Department and the appropriate
congressional committees. The idea being here is
that reports that we generate are seen by Congress
and others sooner than two years after they have been
completed.

CHAIRMAN PHILLIPS: Thank you.

Okay, Committee thoughts and discussions
on the items related to NACIQI's role and function
that have been advanced. Jill.

DR. DERBY: Since I'm one of the people
that's going to have to leave early, I want to speak
in support of all of these.

I would say 4.1, but at least 4.2,
depending on the consensus that's here at the table, but I think that's important. It's something I've spoken to before, but we have around this table and people who aren't here, really very competent, talented, prominent people who know a lot and contribute a lot. And some of us have wondered about the expense of our time in coming if, in fact, it's a quite a limited role that we have perceived that we have.

DR. KEISER: Well, our committee was a very interesting committee, as I'll talk about in a minute, we came to a similar and opposite conclusion, which is a very unique -- half our group said this is exactly what we want and the other half said that NACIQI should be eliminated as not being useful.

So, I, of course, thought that NACIQI should continue, but we'd let you guys handle it.

CHAIRMAN PHILLIPS: Thank you. Further discussion?

DR. ETCHEMENDY: I mean I think there should be out of this Alternative 3.

DR. PEPICELLO: We decided Alternative 3
was not an option we want to put on the table.

CHAIRMAN PHILLIPS: Arthur.

DR. ROTHROPF: I just would note on 4.1 --

CHAIRMAN PHILLIPS: Observe the eight-inch rule, please. Thank you.

DR. ROTHROPF: I note that 4.1 I'd say the choices between 4.1 and eliminating NACIQI because I think you're either doing something or you're not. I'd only note there that we have a sister committee, which Carol manages, is the liaison with, and that deals with the recognition of foreign medical schools. And there that committee has final authority. Whatever it decides that's the rule, that the result -- and it does not go elsewhere in the Department to the Secretary or anyone else; is that correct, Carol?

MS. GRIFFITHS: That's correct. It goes to the Secretary, who sings a letter, but he does not change the decision. The committee has decision-making authority.

DR. ROTHKOPF: So, it struck me as though there is a precedent on the books with a committee
that does recognition, so if we want to be doing recognition, we ought to be doing it or we ought not to be in the business of being ministerial people.

CHAIRMAN PHILLIPS: Good. Anne, Bill, and Bobbi.

MS. NEAL: I think the reason there was such a polar opposite reaction from the members of the committee is that it's sort of a chicken and egg issue. As I look at this, in the absence of radical changes to what we're reviewing and what is important, empowering NACIQI just to do more of the same it seems to me would not be a valuable exercise.

If, however, we do focus on student learning and educational quality, then I think perhaps then talking about a new and improved NACIQI makes sense; but I think you've got to have the first before you have the second.

CHAIRMAN PHILLIPS: Bill.

DR. PEPICELLO: This is Bill.

Carol, if I could ask, does that committee that Arthur just referred to does it have its own staff?
MS. GRIFFITHS: It has the same staff that you have.

DR. PEPICELLO: I suspected as much.

CHAIRMAN PHILLIPS: Meaning you, not the accreditation group.

MS. GRIFFITHS: It's worked in a similar process as NACIQI, where it has an executive director and Pat, the committee coordinator, and then the applications from the foreign medical accreditors come to the accreditation group. They do the first cut. They provide a staff report to that committee.

CHAIRMAN PHILLIPS: Thank you. Bobbi.

DR. DERLIN: And I was thinking initially this might be a question for Arthur Rothkopf, but maybe it's a question for us. I mean is it, in fact, perceived that 4.2 by its existence weakens our recommendations? That we should either say we want recognition authority or nothing. It's a question.

DR. ROTHKOPF: No answer.

CHAIRMAN PHILLIPS: Art.

DR. KEISER: Well, I'm not sure that's separate and different. I think the fact is the
staff is the eyes and ears of this group, and their recommendation is crucial and usually, 99 out of 100 times, been pretty close to what it should be. And I think that staff recommendation should come to us, but then it's what happens after we make our decision that takes into account the staff and takes into account our questions and involvement that should go right to the school or through the Secretary to the agency. I always mix that up, but I think that is the appropriate way right there.

CHAIRMAN PHILLIPS: Bobbi.

DR. DERLIN: Then I would suggest that we remove the word 'alternatively' and simply include 4.1, and then 4.2 reads 'establish' because I certainly recognize your point, Arthur, about in -- in this case Arthur Keiser about the importance of the staff recommendations.

DR. PEPICELLO: This is Bill.

So, Bobbi, you would say that 4.2 is how we implement 4.1? Okay.

CHAIRMAN PHILLIPS: Further discussion about this set of items? This set of recommendations
about the nature of the NACIQI work and the
interaction between the NACIQI and the larger
Department, that's basically what this area is.

    This seems like an area, as written, seems
right, needs work? John.

    DR. ETCHEMENDY: I hesitate to disagree
with Bobbi because we almost always agree. So, it
does seem that there's a conflict between terminal
decision-making authority and NACIQI as being the
recommender to the senior Department official who
will then be the decision maker. So I don't think
4.2 can really be seen as the way of implementing 4.1
quite.

    DR. PEPICELLO: This is Bill.

    I think you're exactly right. Board
recommendation has to be changed to decision. That's
exactly right. Clearly, if this is how we implement
it, then it's the decision that goes forward and not
the recommendation. Thank you.

    CHAIRMAN PHILLIPS: Anne.

    MS. NEAL: This doesn't address, and I
just throw this out as a question for everybody. In
terms of the representation on the Committee, I mean, obviously the Committee has often had folks who, by nature, are deeply steeped in the issue, but I'm wondering if a few who aren't deeply steeped in the issue might also be a healthy input to this review, since we are really dealing with student and student debt, and so I just raise the issue of more public members or whatever, as we think about representation on this committee.

CHAIRMAN PHILLIPS: So, a fitting parallel to the expectation that accrediting agencies decision-making bodies will have a certain proportion of their membership being public members. I think I've heard this before somewhere. That's a good concept. Carol.

MS. GRIFFITHS: Thank you. I think I need to add something else that did come up in the subcommittee meeting at the initial time when 4.1 was mentioned and talked about, and that is really what is an operational committee and how does that differ from your committee. And an operational committee, as I understand it, and correct me if I'm wrong, as I
understand it, it's not a FACA committee at that point. There are no limitations or tenets on you that fall under the Federal Advisory Committee Act.

Indeed, an operational committee does have a public portion. For example, has a public portion, but its decisions are made -- in the case of the foreign medical committee -- in executive session in private. I think that might be an important thing for you to weigh. I don't know at this point whether an operational committee could work in public and make decisions in public if it chose to, but I want you to know that that other committee does make decisions in executive session.

There is no requirement for public input as there is in FACA; however, I will tell you by experience with the operational committee, they do solicit public input prior to going into executive session and making their decisions. So, I do hope that there would be some latitude there, but again, I wanted to bring that back up so that you are more aware perhaps of what you're talking about with an operational committee.
MS. MORGAN: There's no requirement that an operational committee make its decisions in executive session. That's done in the foreign med scenario based on diplomatic concerns, foreign relations, which wouldn't be involved here. But as with many of these recommendations, you would have to change the statute, which establishes NACIQI as a FAC Act. Committee Act.

CHAIRMAN PHILLIPS: Just as an observation on these set of recommendations, we had an initial pass on a prior set of ideas about what it would take to put them into place. The ones that are before you today don't come up with the action price tag on this. In this case, the action price tag is a statutory change. It doesn't mean that it can't be a recommendation, but just to be clear that some recommendations are easier to implement than others.

DR. PEPICELLO: This is Bill.

We had that discussion at some length, and still the subcommittee thought that if we were going to move forward in a substantive and meaningful way
this was the path they'd want to follow.

CHAIRMAN PHILLIPS: I would just add an
observation about this particular item, having
listened to the Committee's concerns over the last
several years and it echoes some of Anne's points
that I think are useful to consider. I think the
issue has arisen out of a sense of there not being
impact or mattering of how this time is spent and if
decision-making authority gives that sense of impact,
then I see this as meeting that concern.

If it simply adds additional level of
activity that doesn't have the mattering in the ways
that have substance to them, and I refer here to some
of the things that Anne talked about, about the
quality of the educational experience and student
learning, then I don't think that the Committee is
looking to have more decision-making authority over
details that it isn't worried about, that it doesn't
think about.

I think it's looking to have more
substantive impact on things that it does think are
important, so there's a prior level -- and this is
the argument that I think that Anne was making that I
wanted to speak to that says that we need to be clear
about what it is that our activity is focused on and
that that's important perhaps before we claim the
decision-making authority about whatever that is.

DR. PEPICELLO: So, essentially, I think
what you might have said is we might have to figure
out too before we go to Task 2 before we go to Task
4.

CHAIRMAN PHILLIPS: We might want to
figure out what our task is before we sign ourselves
up for more of it.

That said, my own personal comment on
that, set aside what I hear, is in this discussion at
least as an initial pass that there is strong
sentiment for engaging the Committee in different and
more substantive ways and also engaging the Committee
-- taking up Ted on his offer -- in ways that provide
more forums and venues for the comments that we are
able to generate.

Yes, Art.

DR. KEISER: Even with that said, if we
have the final determination, we will still have to be responsible for all the issues that Congress would want us to look at. So, as a group, could task out the checklist items, the federal compliance issues to staff to do that. And we, as a group, could determine and focus on the learning outcomes, the assessment processes, and the more student-centered issues. But again, I think that's certainly within the purview of the recommendation. I don't think that's inclusive or exclusive of the recommendation that was made by the committee.

CHAIRMAN PHILLIPS: Anne.

MS. NEAL: I wanted to pick up, Susan, on what you were just saying because I do agree. And I think in light of what we heard this morning from the Deputy Secretary. He talked about getting out of the way, changing regs to make it easier for institutions to innovate. I think there are a number of suggestions we have here, looking at 2.2, getting back to what Bill was saying, where frankly we can enhance transparency and reporting and NACIQI can get out of the way.
It's not at all clear to me what apparatus will be necessary if we have reporting of key data relating to student learning and assurance of financial stability. Once we get to that point, I'm not sure what value we're adding, except in those instances where that kind of information is not available. So, perhaps we can basically get ourselves out of a job.

CHAIRMAN PHILLIPS: Further thoughts or contributions on Task 4 before we switch over to 1. Okay, I'm going to switch over to the starting point, which was simplifying the process. This was Art's subcommittee. And so, for those of you following along, this is 1.1 and 1.2. Thank you.

DR. KEISER: Well, first of all, I want to thank the committee. And it was an extremely diverse committee, and it was interesting how the committee worked and operated. And we met probably six, seven times, and we had a whole lot more and we've had now a whole lot less as we consolidated some of the recommendations.

The first is to establish common
definitions of accreditation actions and terms, both programmatic and institutional, and to establish common procedures, timelines, and processes among agencies, including actions, due process, and substantive change.

I think our discussion was that we have -- I forgot how many accrediting agencies, but somewhere 80-ish, and almost every one has a different set of terminology for their actions. What is a show cause in one agency is not the same thing in another agency. The accreditation timeline is different in one agency than another, just standard definitions and process.

I was heartened to hear at the SAS or reference the early part of the week that CRAC is working exactly, in terms of definitions, a set of common definitions among the regionals. But I think it would certainly behoove, without taking away any of the specialness of certain agencies that we at least have a set of common terms and common definitions, which would enhance the transparency of agency action and agency procedures and let the
public have a better view of what is occurring at
different accrediting agencies. So, that's 1.1.

And 1.2 is to require a periodic
departmental review of criteria of recognition in the
goal of eliminating regulations or specific criteria
that are not effective any more, not necessary, and
don't establish and meet the needs of the statutory
requirements. And of course, hopefully, the
statutory requirements would become less and
simplified when they go through the revision of the
Higher Education Act. So, those are the first two in
the "simplify the process." John.

DR. ETCHEMENDY: So, let me talk about
1.1, which I was on the subcommittee and so I do
support it. I do want to say that it scares me in
the following way. That if, in fact, we're talking
about simplifying the process and making it more
transparent and having standard definitions of
actions and terms that sounds great, and I think it
would be good if we could get that.

Another way of looking at this,
particularly, the part about the timelines and
establishing common processes it worries me that this would become a very intrusive, all of a sudden NACIQI coming in and saying to the accreditation organizations here's how you have to conduct your business, which is one step away from saying and here is what your standards have to be and that's one step away from having a ministry of higher education that controls it all, and that, I think, is the beginning of the end of a high-quality higher education system.

So, if there's any way for us to understand, and when we write this up, that this is intended as the light version, not the heavy version of this recommendation. Enough said.

DR. KEISER: Well, I think you're correct. I think it was certainly the intent of the discussion that this would become an accreditor process, not a NACIQI process and that there would be a coming together of the agencies to establish the terminology because I think that was our intent.

DR. ETCHEMENDY: Right. It was. And some how or other it got dropped out of the language, Art, because I remember this coming up and specifically
your saying what we really want to do is have the accreditation organizations or some subset of them get together and decide, look, here's the action -- here's what we should call these actions. We all have roughly the same types of actions. Let's call them this and standardize. That I think is a good idea and I think we should say that.

CHAIRMAN PHILLIPS: So, instead of saying 'establish" we can say 'encourage agencies to develop" or 'ask agencies to develop." Arthur.

DR. ROTHKOPF: Let me identify a point that's not -- well, I don't think it's specifically covered in 1.1. Again, you go to the committee report underneath and I think it makes a strong case that accrediting agencies need much more transparency in their operations, and I think that's one of the problems that we face in terms of the lack of public knowledge and confidence in the accreditation process because it's such an opaque situation.

The last report NACIQI put out back in 2012 -- I don't have it here with me, but I think there was reference to support for the idea that in
the interest of transparency many of the documents
that are a part of the accreditation process, whether
they be self-study or the results of the site visit
or the decision by the Commission be made public and
that they be available to the public because then the
public can see what's going on. And I think at least
one of the regional accrediting bodies has adopted
that. And I guess I happen to be a strong supporter
of that because I think putting things out in the
open, letting the public see it. I know some in the
higher education community are very nervous about
that because one institution could use it against
another. I would say so be it.

I think this is a world which the public
needs to know, public officials need to know. And so
I would urge that there be some mention here about
the transparency of documents, and we can identify
what they are. That should be made public. I think
that's the only place where it comes up.

And as I say, I think we were sort of
supportive of that the last go around. I don't think
anything has happened to diminish it.
CHAIRMAN PHILLIPS: I think just as a historical reference on that that wasn't one of the items that we chose to focus on, so it's not part of the simplification. The transparency notion here is really focused on the confusing language, I believe. It doesn't mean that the committee couldn't develop transparency recommendations, but it's not part of the four tasks that we set for ourselves this time.

Other comments? Simon.

MR. BOEHME: Yes, I was just going to say I completely agree with Arthur on this. I think that transparency is something that will restore confidence in this process. And I would even take it one step further in there's all this talk about making FAFSA very easy to fill out. You know, report cards on what colleges and universities are doing, and I think something that accreditors can do when they make it more public is have quick fact sheets so it's easier for consumers to see.

And I know the Department of Education has already been doing this, and I think the accrediting field, catching up to the 21st Century, could
definitely benefit from something like that.

DR. KEISER: In this world, it's hard to talk against transparency, but I served in the licensing commission in Florida. We have probably one of the most transparent processes, which is called Sunshine Rules, which got to a point where I could not talk to another board member outside of a notice meeting. It inhibited the commissions for taking appropriate action. And there are times -- and we're a pretty open and transparent board here, but when you are evaluating let's say -- I think we got a good example at the University of North Carolina -- if the accrediting commission is sitting there and having those discussions in public, it's going to be maybe or potentially a very different outcome if they're sitting there in private, having that conversation.

So, I think it's important that from an institutional standpoint as from an accrediting standpoint, and I've served on both sides, that there is appropriate due process that's not totally in the sunshine because it does inhibit the process very
You may not agree with me, but I've been on both sides, and it is very difficult and it creates in the case of Florida, a lot of bad government.

DR. ROTHKOPF: I might say, if I can respond. Art, I'm not saying that we're requiring that the meetings of the commissioners be public and so on. What I'm saying is the documents that result, whether they be the self-study, and many institutions do this, but mostly the publics. The privates have a varied record here. The publics do it because they're required to, but what the site visit shows, what the commission decides I think that's just part of a record.

In many ways, I think we need to subject higher education to the same standards that public corporations have and the SEC requires things to be out there so that people can analyze it. That also helps analysts to really get real information there. And so I think the more sunshine the better, but I'm not calling for these meetings of commissions or
accrediting bodies to be public, but I think the
decisions need to be out there and the fullness in
which they're decided as well as what the site visits
have come up with.

CHAIRMAN PHILLIPS: Just one option to
consider would be to pull that item from the 2012
report that addresses that and to bring it forward
for consideration on this one. I'm trying to pull it
up so that I have it because that's where the
interest had begun.

DR. ROTHKOPF: I might be willing to go
further than what it said last time, but this happens
to be something I feel very strongly about. I don't
know exactly what was said in 2012, but I think we
did actually address it.

MR. BOEHME: It would be strange if we
didn't address it, I think.

CHAIRMAN PHILLIPS: Other questions or
comments on these two, 1.1 and 1.2?

Okay, let me ask Arthur to move us on --

Art -- pardon me -- to move us onto Task Number 3.

I'm sorry.
(Mike goes dead.)

CHAIRMAN PHILLIPS: Art, Task 3, developing relationship by doing quality and quality assurance and access to Title IV funds.

DR. KEISER: The first recommendation, probably one of the more controversial ones would be to convert all the accrediting agencies into national accreditors to eliminate the regional monopoly so that institutions and accrediting agencies may realign themselves among sector institution-type or other more appropriate lines rather than geographical location. This will help to eliminate what our committee felt was a two-tier system and to facilitate policies that help students, such as transfer of credit and to enhance and approve accreditation.

Second, 3.2, is to allow for alternative accrediting organizations that are new, innovative mechanisms for quality assurances that could surface and provide innovation. 3.3 is to establish less burdensome access to Title IV funding for high-quality, low-risk institutions. These would
allow the agencies to have fewer burdens for what they perceive as low-risk, high-quality institutions.

3.4 is, before eligibility for Title IV, require institutions to provide self-certified data on key matrix such as access, cost, and student success.

And finally, recommend that accreditation not be an all or nothing affair, establish a range of accreditation statuses that provide differential access to Title IV funds.

These were all a little controversial.

CHAIRMAN PHILLIPS: Okay. We do have cookies available. Comments and questions on these items? Anne.

MR. PEPICELLO: -- my parting shot, and then I'm going to run. I mean I think the reason there's some silence is these all make perfect sense. They're all extremely difficult, but I think it goes to putting vital issues on the table, having an open and honest discussion about them. And it goes, I think, ultimately to Simon to one of your heartfelt things here that it does go to affordability
ultimately and it goes to accessibility. And you can't talk about higher education without using those words, as well as transparency, of course. But I think these are the toughest ones to chew on, but I think it lays out -- as I read it, it lays out what a new pathway would look like. And it says instead of talking about it let's do something about it, and I think that's what gives people pause.

CHAIRMAN PHILLIPS: Arthur.

DR. ROTHKOPF: Arthur Rothkopf. I second Bill's comments, and I'd add a third word and that is innovation. Everyone talks about innovation and it's one of the buzz words of this decade, but I think this does offer the potential, particularly, 3.3, when it talks about less burdensome access to Title IV funds.

I mean there's so many new models being talked about, and I'm not one who's particularly engaged or understands the technology that's going on. There are others here who know far more than I do. I think reordering the system and not having it based on what happened in the 19th Century is a good
way to start stirring things up and bringing out the innovators in our society who will, I think, be the ones to address the issues of access and affordability because that's where the hope is.

The current model, in my view, is semi-hopeless in terms of affordability because there are so many built-in costs that will be so difficult to eliminate, but I think the innovators of the next 10 or 20 years will think of ways to provide quality education at a much more affordable cost. That, in my view, is the only way to get from here to there.

CHAIRMAN PHILLIPS: Let me toss in a couple of questions, comments of my own just to add to the mix.

I would suggest that the same issue that we had about requiring accreditors to use 'X" language would probably apply to 3.1, that accrediting agencies aren't created by the government and so converting them isn't something that there's authority to, although perhaps there's a different set of verbs that could be suggested there. I don't know quite what they are right now, but there is a
centralized focus that perhaps isn't right for that
domain.

So, the second one I wanted to just
comment on is reflection on some of what the
Department has been doing with respect to competency
or evidence-based learning outcomes. And my
understanding is that they're creating what I'll call
safe zones, places or sets of authorizations in which
the customary rules of engagement are suspended to
some degree and some innovation is allowed to occur
while not endangering the larger system. So,
creating a space where this potential innovative
practice could happen providing some oversight and
monitoring, so how is that going in there in that
creative space.

And then I expect from that practice
emerging by saying we could make this space larger.
We could make this space available to more places, or
the space doesn't work at all. We're closing it and
putting it away, and we'll try something else.

That notion of a safe space strikes me as
something that might fit well with and allow for
alternative accrediting agencies. It might work well for the less burdensome access to Title IV funding. It might work well for the eligibility for Title IV funds. It might work well for the all or nothing affair. I think the all or nothing affair actually could be done separately.

So, there might be an umbrella under which a number of these could go that would provide a little less daunting step, but encouraging an experimentation space, a lab, a safe space, a whatever you want to call it that would allow for monitored and evaluated new ideas to be played out a bit with some assurances about how those processes would be evaluated as successful and how the decisions would be made about whether or not those spaces would expand or contract.

I'll turn it back to the Committee for further comment. John.

DR. ETCHEMENDY: In general, I like that idea as a cautious way to proceed. I don't entirely understand how that would work for some of these recommendations, so for example, making accreditation
not an all or nothing affair. I guess you already
saw that that was a little bit different. That
requires a legislative solution and stuff going on on
both sides, both in the Department and in the
legislature.

Converting agencies into international
accreditors how would that work?

CHAIRMAN PHILLIPS: I actually was
referring to the 3.2, .3 and .4 of the safe bases
places. The 3.1, the issue that you had raised
earlier of who's at the other end of that lever
called convert, which I think is an issue in the
accreditation versus national ministry problem that
you had identified earlier. Who gets to say what
converts?

DR. ETCHEMENDY: Truth. Although, I mean
we could always say an accreditation organization
could not have restrictions based on geographic
location. I mean, I imagine that that's some that we
or the Department could do and that would
automatically convert all the regionals into
nationals.
CHAIRMAN PHILLIPS: Or they could go out of business.

DR. KEISER: The current statute recognizes the regional creditors as a separate group. So, this presupposes that the legislation would eliminate that separate recognition and possibly use the antitrust type language that there should not be any restrictions based on geography or other -- you know, if an agency -- what really got our group discussing it was like an agency for Stanford, Princeton, and Harvard or the elite institutions in this country, that the agency would just take those elite institutions as members and whoever wanted be in it a member, not tied to geographical location, and that's a separate set of standards that would apply that would, hopefully, be even more rigorous than the current standards are.

DR. ETCHEMENDY: But Art, to correct your memory, that was not the example that came up. I'm not in favor of a separate accreditation agency for elite institutions.

DR. KEISER: That is a possibility.
DR. ETCHEMENDY: Let the record show --

DR. KEISER: There is the possibility to create that kind of competitive environment.

CHAIRMAN PHILLIPS: Bobbi.

DR. DERLIN: I think the idea of having some safe zones or however you might define it as an implementation strategy or as a step passed the recommendation, but in terms of actually incorporating it into the recommendation I think I would have the same concern that I raised previously. I mean these recommendations sort of silenced our group because they were daunting and they are bold. And I don't know that I would necessarily want to make them milder.

MR. BOEHME: I agree with that. I think that this is exciting. We are moving into the 21st Century. Higher education is changing. And I think it's time that an outdated system is going to start working for students. It's going to start working for the consumers more effectively and it's going to start looking at components that matter. And I agree with Anne when she was saying earlier that I think
accreditation starts to get to the heart of student outcomes.

I personally believe that it also goes to affordability and accessibility, and through these changes we can start talking about the most important issues in higher ed.

CHAIRMAN PHILLIPS: Anne.

MS. NEAL: Particularly, on your first point, I think the goal is to give institutions the widest range of choice and right now they really do not, given the carving up of the country into regions. So, I think that was our sense there that rather than allowing a limited scope and insisting on a designated scope that we would allow an expanded scope.

One other thing I would just throw is in thinking about, and it's in the transparency realm, when we look at 3.4 talking about more data available, we might even think about something where a student is filling out an easier FAFSA there would be a way to link to the data like this when applying so that it would be more ready to the individual
student as he or she is thinking about which schools
to go to.

CHAIRMAN PHILLIPS: I have been reminded
that we are really in an opportunity for a break. At
this moment, we are about five minutes to 3:00. I'd
like to give that opportunity for just a 10 minute
switch of gears. We'll come back and see where we
are in the summary of the comments so far.

(Whereupon, a short recess was taken.)

CHAIRMAN PHILLIPS: We're a little longer
than our 10-minute break, but wanted to give people a
chance to finish their conversations and come back to
the common conversation here. I realize we are
losing members, we continue to lose members, so I
wanted to see if I could pull my arms around where
the conversation has taken us today.

Before I do that I think that Herman may
have had a question on Number 4 that you wanted to
put in before I wrap up.

MR. BOUNDS: Just a comment, and I think
the Committee is aware, but the comment was just
relative to your 4.1 where it talks about NACIQI and
the staff.

I just wanted for those members that were not aware the accreditation group as its currently established we also do the reports for the Foreign Medical Committee plus NACIQI. We try to work hard for both of those, and we also have some additional requirements, so just to make the NACIQI aware that we have a lot of different responsibilities, but we do try to support you guys as best we can. So, sometimes the ties to one group might be difficult, so I just wanted to bring that out.

CHAIRMAN PHILLIPS: Thank you.

So, our conversation today so far I think has lead us to the following place, and let me do the whole thing and then you can adjust as needed.

First, let me start with -- underscore that it's a draft that we've been working with. It doesn't even have an introduction or a rational or anything like that, so we can expect that the next version would have a preface and a context for this conversation that -- specify that this wasn't a replacement of our 2012 report. This is simply the
2014 addition of our thinking -- would have an introduction that gave context.

This report would also have these four sections, one about simplifying the process, which is largely as posed here with change of verb on who's establishing common definitions, and also from bringing from the 2012 report the language on making documents transparent. It is document number 20 on the prior report. I did find it and can pull it out and put it in here for reconsideration to simplify the process.

On the question of enhancing nuance, we spoke about very much concurring with these items with what I'll call the period provision to remove the italicized sections that suggest that there's a list and what ought to be on it, but rather to stick with that NACIQI's task is to create those lists and to determine how many there are. So, to essentially concur with the nuance recommendations as posed.

On the third, to also concur, by and large, with all of the relationship between quality assurance and access to Title IV funds with some
language change that I jotted as we were going along
to focus that first one on affording institutions the
widest range of choice, that was what Anne was
speaking about, and aligning themselves along sector
institution type or whatever. We'll see whether we
want to leave in the conversion to national
accreditation. And to maintain the other ones as is,
as written. We didn't talk about whether we want to
include the background and commentary on those, but
you can determine that.

And then the fourth, NACIQI's role and
function, with a caveat that we'd like to have more
clarity on the nuance in the accreditation process.
And I would argue on the relationship between quality
assurance and Title IV that the questions about
NACIQI's role and function being taken up as those
become clearer, but to sustain the recommendations
that have to do with the relationship with the
Secretary and the communication about larger issues.

So, that's in seven minutes a wrap of
where I think we may have ended up today. Now, of
those comments did I get wrong, what seems not quite
right, what occurs to you now as something that would be a little different that you'd recommend? Anne.

MS. NEAL: I think that was a terrific summary. My only question is, and this gets back to what Bobbi had suggested, that we put the period after 'outcomes.' I think there is some recognition here in the group that these bullet points in 2.2 are exemplary. I think they're exemplary in every sense of the term, but I'm just wondering since this is going out for public comment would it not potentially be valuable simply to leave them in prefaced by 'such as' in order to get feedback as to this particular selection?

CHAIRMAN PHILLIPS: Your thoughts?

DR. DERLIN: Since I was the proponent of the period, I actually think having an example listing is fine, but I think it needs to reflect both sides of the intended equation, which is to include some things and to explicitly exclude consideration of others. And I think we're just having a hard time figuring out what those two lists might look like.

DR. KEISER: I think your summary, Susan,
was excellent. I think it's really important to have somebody within NACIQI or outside who works under your direction to begin the drafting of the document that would explain what it is that we're trying to accomplish, an introduction, what concerns we have that then lead into these four sets of recommendations to make it a document that gets -- you know, the public understands with the hiring community and outside what it is that we are trying to accomplish.

And I think you even look at the question of whether this is the right order of recommendations. You have thought of that when you put it together, or the 1, 2, 3, 4 may just be the way it came out. So, what's the order, what's it look like, a conclusion, and make clear we're putting this out for comment, but we're trying to look at this with the backgrounds that we have, the experience that some of us have had for long periods, some for a shorter period in dealing with the issues that come forth.

So, I think now it's time to put it all
into context and have a document that we would feel comfortable with putting out for comment. And again, I observe we don't know when the train begins to leave the station, but I have a feeling it may be leaving sooner than we think, and we ought to be ready for that. And also be ready to maybe have the Department -- and I may have said this earlier -- have the Department look at what we say so it's not just us recommending it, but the Department does. I think that would help.

CHAIRMAN PHILLIPS: John.

DR. ETCHEMENDY: So, I'd like to ask what the next steps are. And what I would like to see the next steps being is, Art, that somebody, maybe somebody who's really good at summarizing things in seven minutes, take a shot at a draft of the actual report. Now, I don't know what's allowed. Can that be circulated to the committee for comment; that is the NACIQI members for comment by email?

CHAIRMAN PHILLIPS: I believe so.

DR. ETCHEMENDY: Is that's what's going to happen now.
CHAIRMAN PHILLIPS: Somebody clearly needs to put the package together, but I don't think we can quite build that catch right at this moment, at least not these whiskers, and it definitely needs a context, an introduction, and so forth. These obviously are chopped up into the pieces that we were working on and they might well go back together in a slightly different stew form.

Mindful of the possible timeline and wanting to have this work be as influential as it could be, I think I would want to have the target for public comment be quite early in the New Year, so might I even say January. That does mean the Committee would need to respond and react fairly quickly in order to be able to move it to an opportunity for the public to receive it and review it and be able to get back to us with their comments, have us have an opportunity to consider that again together. We'd have to do that probably on a webinar in perhaps March so that we would hope to be able to come to a conclusion that would allow this to be in the water supply of policy action before our next 
meeting, our next official meeting being in June.

So, it would put a bit of a fast forward on the process that I had outlined earlier, and we could certainly pursue that. If we didn't make it, we'll obviously adjust, but it would include having an edited document with your New Year's eggnog.

MR. BOEHME: Just one small point.

CHAIRMAN PHILLIPS: Yes.

MR. BOEHME: I want to make sure that in your notes you kept Anne's good point of considering potentially looking at outsiders to join NACIQI -- you know, more students.

CHAIRMAN PHILLIPS: She didn't actually mention the students.

MR. BOEHME: No, I know. I'm putting words in her mouth now. I'm sure she would like a few more young bucks around, you know, young people. Right, Anne.

CHAIRMAN PHILLIPS: I did have that in the question about people who are not actively involved in the education business, which might exclude students actually.
MR. BOEHME: Okay, then I propose most
students.

CHAIRMAN PHILLIPS: So, that's the rough
timeline. I'm mindful that it is always easier to
envision a very smooth path when you're in this
meeting and in about an hour it will look a little
different.

DR. ROTHKOPF: This is an idea that I'm
sure will be rejected, but let me put it out anyway.
In terms of looking for the editor or the writer of
this document and trying to be thoughtful of the
Committee and I know the staff. I mean one
possibility is to have the staff involved in the
writing.

Another, and I see a former leader, Jamie
is sitting here. I wonder if it's possible to get
one of the really good writers who work for the
Department, maybe in the Communications Department,
maybe to be helpful to us in putting this document
together. It probably breaches all sorts of rules to
do that, but maybe you could get --

CHAIRMAN PHILLIPS: If there were somebody
from the Department high ranking in the room who
might want to think about that; you've put that out
into the airwaves.

    DR. ROTHKOPF: Okay.

    CHAIRMAN PHILLIPS: Thank you.

Other comments or questions?

I'm mindful in this process that because
we have members that are -- our full complement of 18
members have not been present today and some, at
least two and perhaps five, will be completely new to
this by the time it comes for a vote. I would not
venture to say that we are unanimous in our views
about this currently, so I'm sure that there will be
additional divergence of opinion then and some new
ideas to be considered. So, we're doing this pathway
in the context of a moving set of voices and votes,
which also will enrich the process and complicate it,
so doubly good.

Having secured your commitment to
reviewing this over your eggnog over New Year's Eve,
I will take up the responsibility of figuring out how
to get it drafted in some way before then so that we
can move along quickly, and will look forward to your responses back very quickly so that we have a mid-February release -- mid-January release date for the public, who I hope is also now prepared to respond really quickly back there, and then we'll just go on from there.

If that concludes our business on the policy part of our conversation today, that also will conclude our business for the meeting. If I have anything else that I've missed, Herman or --

DR. ROTHKOPF: One question.

CHAIRMAN PHILLIPS: Yes.

DR. ROTHKOPF: How about the date for the next meeting? I saw there was a document that listed some two dates in June as tentative. Should we put them in our calendars?

MS. GRIFFITHS: That's what we'd like to know from you, whether or not it would fit your calendar. So, if you could as soon as you could tell us how that marries up to your availability, we'll lock it in.
CHAIRMAN PHILLIPS: Thank you then for coming. Thank you in the audience who've stuck with us for this period of time. We look forward to your continued conversation and wishing the Committee members good travels, safe travels, especially back to the West Coast and good holidays. I'll be thinking of you as you're reviewing this document on New Year's Eve. Thanks.

(Whereupon, at 3:35 p.m., the meeting was adjourned.)