

Report of the Meeting

National Advisory Committee on Institutional Quality and Integrity

June 6-7, 2013



/s/

Jamienne S. Studley, Chair

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DISCLAIMER

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

EXECUTIVE SUMMARY

Background:

The National Advisory Committee on Institutional Quality and Integrity (NACIQI or the Committee), was established by Section 114 of the Higher Education Act (HEA) of 1965, as amended by the Higher Education Amendments of 1992 and, most recently, Section 106 of the Higher Education Opportunity Act (HEOA). The HEOA made changes to section 496 of the HEA “Recognition of Accrediting Agency or Association” and suspended the activities of the NACIQI upon enactment on August 14, 2008. It also changed the composition of the Committee by increasing the membership from 15 to 18 and shifting appointment authority that had been vested solely in the Secretary to the Secretary, the President pro tempore of the Senate, and the Speaker of the House, each of whom may appoint six members. Also, rather than having the Secretary appoint the Chair, the HEOA required the members to elect a Chair. In July 2010, new regulations went into effect that govern the process by which accrediting agencies seek recognition by the Secretary as a reliable authority regarding the quality of education and training provided by an institution (or program) they accredit.

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

Discussion:

At its June 6-7, 2013 meeting, held at the Hyatt Arlington Hotel in Arlington, VA, the Committee met to carry out its duties to advise the Assistant Secretary with respect to the recognition of accrediting agencies and State approval agencies.

The Committee reviewed 7 petitions for renewal of recognition from accrediting agencies, 8 renewals for recognition based on a compliance report from accrediting agencies, and 1 renewal of recognition based on a compliance report from a State approval agency for nurse education. Eleven of the accrediting agencies are recognized for Title IV purposes. In all but one instance, the Commission on Accreditation of Healthcare Management Education (CAHME), the Committee’s recommendations are the same as the staff recommendations.

Undersecretary Kanter spoke to the Committee in public forum during the meeting. She highlighted the President’s higher education priorities for his second term and the initiatives that the Department is pursuing toward those goals. These initiatives target the very real issues that students and their families face in confronting the higher education decision-making process -- affordability, value, and quality. Particularly, the Undersecretary spoke of the ‘First in the World’ initiative and its goal to substantially move the bar to better indicators of student learning while at the same time encouraging innovation and diversity. The Undersecretary also spoke of the Administration’s commitment to an approach of shared

responsibility and to the engagement of the triad in the conversation of how to strengthen the accreditation process with a focus on student outcomes and accountability that correlated with NACIQI's recent recommendations for reauthorization. The Undersecretary challenged everyone to continue that conversation in support of a strong and dynamic postsecondary system of high-quality diverse institutions.

NACIQI members in attendance for all or part of the meeting included Jamiene S. Studley (Chair), Arthur J. Rothkopf (Vice Chair), William Armstrong, Jill Derby, George T. French, Jr., Arthur Keiser, William "Brit" Kirwan, Anne Neal, Richard O' Donnell, William Pepicello, Susan D. Phillips, Cameron C. Staples, Lawrence Vanderhoef, Frank H. Wu, and Frederico Zaragoza.

U.S. Department of Education personnel who participated in the meeting included: Committee Executive Director Carol Griffiths, Accreditation Director Kay Gilcher, Program Attorney Sarah Wanner, Office of Postsecondary Education staff: Herman Bounds, Elizabeth Daggett, Karen Duke, Jennifer Hong-Silwany, Patricia Howes, Charles Mula, Steve Porcelli, Cathy Sheffield, and Rachael Shultz.

THE RECOGNITION OF ACCREDITING AGENCIES AND STATE APPROVAL AGENCIES:

The Committee reviewed petitions and reports from 16 agencies – 15 accrediting agencies and one State approval agency for nurse education.

Summary of Agency-Related Actions Taken by the Committee:

I. Petitions for Renewal of Recognition as Nationally Recognized Accrediting Agencies including any Expansion/Contraction or Revision in the Scope of Recognition as Currently Written.

A. Accrediting Council for Continuing Education and Training (ACCET)

Action for Consideration: Petition for Renewal Recognition.

Current and Requested Scope of Recognition: The accreditation of institutions of higher education throughout the United States that offer non-collegiate continuing education programs and those that offer occupational associate degree programs and those that offer such programs via distance education.

Committee Recommendation: Vote: 11-0
NACIQI recommends that the ACCET's recognition be renewed for five (5) years.

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

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

NACIQI Primary Readers:

Dr. William Kirwan; Mr. Cameron Staples

Representatives of the Agency:

Mr. Roger Williams, Executive Director, ACCET
Ms. Tibby Loveman, Commission Chair, ACCET
Mr. David Wilson, Past-Chair, ACCET

B. Accreditation Council on Optometric Education (ACOE)

Action for Consideration: Petition for Renewal of Recognition.

Current and Requested Scope of Recognition: The accreditation in the United States of professional optometric degree programs, optometric technician (associate degree) programs, and

optometric residency programs, and for the preaccreditation categories of Preliminary Approval for professional optometric degree programs and Candidacy Pending for optometric residency programs in Department of Veterans Affairs facilities.

Committee Recommendation: Vote: 11-0

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

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

§602.15(a)(4)	§602.16(a)(1)(i)	§602.16(a)(1)(ix)	§602.16(a)(2)
§602.19(b)	§602.20(b)	§602.25(f)	

The issues above focus on the agency’s need to examine its policies and/or practices to ensure the appropriate composition of site teams, clarification of its application of its standards (student achievement, student complaints, and preaccreditation standards) and consistent and appropriate policies and their application re preaccreditation status, substantive changes, extensions for good cause, and its appeals process.

The Committee’s discussion with the staff and agency focused on two issues: the agency’s evaluation of student achievement at the doctoral level and the agency’s definition of educators and practitioners and how the agency will demonstrate that its site teams include both perspectives.

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

NACIQI Primary Readers:

Mr. Richard O’Donnell; Mr. Cameron Staples

Representatives of the Agency:

Mr. J. Bart Campbell, O.D. Chair, ACOE

Ms. Joyce L. Urbeck, Administrative Director, ACOE

C. Association of Advanced Rabbinical and Talmudic Schools (AARTS)

Action for Consideration: Petition for Renewal of Recognition.

Current Scope of Recognition: The accreditation and pre-accreditation (“Correspondent” and “Candidate”) within the United States of advanced rabbinical and Talmudic schools.

Requested Scope of Recognition: The accreditation and pre-accreditation (“Correspondent” and

”Candidate”) within the United States of advanced rabbinical and Talmudic schools which grant postsecondary degrees such as Baccalaureate, Masters, Doctorate, First Rabbinic and First Talmudic degrees.)

Committee Recommendation: Vote: 14-0

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

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

§602.17(d)	§602.20(a)	§602.20(b)	§602.22(a)(2)(i-vii)
§602.25(f)	§602.25(g)	§602.26(c)	

The issues above focus on the agency’s need to examine its policies and/or practices in issues of compliance, due process, substantive change approval and public notice. More specifically, the agency needs to ensure that its institutions have a reasonable period of time to respond to agency requirements; that the agency's processing of appeals meets all requirements; that enforcement actions consistently fall within the maximum timelines and that extensions for good cause are explained; that substantive change reviews are thoroughly documented; and that the public is notified within 24 hours of final adverse decisions.

The Committee affirmed that the Department staff has no concerns re the quality of education and, after noting the limited number of compliance issues, had no questions for the agency.

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

NACIQI Primary Readers:

Dr. William Pepicello; Dr. Susan Phillips

Representatives of the Agency:

Dr. Bernard Fryshman, Executive Vice-President, AARTS

Professor Keith Sharfman, Associate Director, AARTS

Dr. Sheldon Epstein, Associate Director, AARTS

D. Commission on Accreditation of Healthcare Management Education (CAHME)

Action for Consideration: Petition for Renewal of Recognition.

Current and Requested Scope of Recognition: The accreditation throughout the United States of graduate programs in healthcare management.

Committee Recommendation: Vote: 8-2

NACIQI recommends that the CAHME’s recognition be continued to permit the agency an opportunity to within a 12 month period bring itself into compliance with the Criteria cited in the staff report and that it submit for review within 30 days thereafter, a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision. Further, based upon the concerns identified, NACIQI recommends that a limitation to not recognize the agency’s accreditation of any new institutions and/or programs (including those accredited via a substantive change request) be placed on the agency’s recognition. The continuation of the agency’s recognition and this limitation shall be effective until the Department reaches a final decision.”

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

§602.15(a)(5)	§602.15(b)	§602.17(e)	§602.19(b)
§602.19(c)	§602.20(a)	§602.20(b)	§602.25(f)
§602.26(d)			

The Committee’s discussion and recommendation is based on the following circumstances:

1. The Committee noted that the agency had a disproportionate number of compliance issues (to what the Committee would expect of a programmatic agency that had been recognized since 1970). The significant issues were not the result of new regulatory requirements; they include noncompliance in areas which are important components of a rigorous and reliable accreditation process -- 602.17- accreditation decision-making, 602.19- monitoring, and 602.20 enforcement.
2. The Committee’s query for an explanation of why the agency was out of compliance in so many areas, revealed that there have been multiple turnovers in agency leadership in a short period of time. Multiple changes in the agency’s staffing of its senior leadership positions within a matter of months raises a concern about the requisite level of stability in the agency’s operations and in its ability to follow through with the compliance actions required for continued recognition.
3. The agency’s lack of written policies and lack of documentation validating its application of agency policies (also identified by Department staff) reflects significant shortcomings in the process. According to the primary Committee reader, Dr. William ‘Brit’ Kirwan, “the rules of the game are you're supposed to codify them in written documentation. That's not a new requirement. So, the fact that you're doing it in practice, but it's not codified, it's just hard to understand how a professional organization could be so lax in living up to the expectations and the rules that we operate by.” Codification and documentation are essential to the accreditation process and to the recognition process. Both accreditation and recognition rely on codification and documentation to help ensure the agency’s consistent application of standards and policies and the effective performance of the accrediting agency.
4. Three areas of Committee inquiry focused on the agency’s --

- a) Deviation from accepted accreditation practice in its award of initial accreditation to programs that do not meet all of the agency's standards. As described by the staff analyst, the agency "challenged that issue (initial accreditation) again here at NACIQI" and suggested it does raise the question about the agency's plans to review those programs.
- b) Inconsistent and conflicting rules of operation regarding its enforcement of its standards (shortening the grant of accreditation verses correcting program deficiencies) and exceeding the required 2-year maximum for correcting deficiencies in meeting agency standards; and
- c) Ineffective monitoring of its accredited programs based on conflicting testimony as to whether the agency has trigger points that identify potential compliance/non-compliance with agency standards for each of the data categories and whether it has conducted monitoring reviews and can validate its application of the review process.

5. The Committee also sought clarity as to the consequences of a recommendation to limit the agency's scope of recognition to its currently accredited programs. The impact of a limitation to exclude new programs from the agency's scope of recognition is limited to approximately five programs seeking initial accreditation.

The Committee understood that students in the five programs receive (and will continue to receive) Title IV federal student aid by virtue of the institutions' accreditation.

The Committee also understood that the students in the 5 programs are not currently receiving increased amounts of unsubsidized loans that may be available to them as this loan requires programmatic accreditation. (These unsubsidized loans are available to assist students enrolled in health profession programs that cost more to operate and subsequently result in higher student costs, tuitions, etc.) As Healthcare Management Programs do not support the same type of clinical experiences and equipment required of many other health care education programs (i.e., MD or dental programs); it is expected that the impact on these programs would be minimal and short-term.

For the reasons above, the Committee believed its recommendation to continue but limit the CAHME's recognition until it can demonstrate its stability and compliance with the Secretary's criteria for recognition best serves the integrity of the process.

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

NACIQI Primary Reader:

Dr. William Kirwan; Dr. Frederico Zaragoza

Representatives of the Agency:

Dr. Margaret Schulte, President and CEO, CAHME (

Mr. Eric Brichto, Manager and Counsel, Accreditation Operations, CAHME

Ms. Stephanie Shearer, Manager and Counsel, Accreditation Operations, CAHME

E. National Association of Schools of Art and Design, Commission on Accreditation (NASAD)

Action for Consideration: Petition for Renewal of Recognition

Current Scope of Recognition: The accreditation throughout the United States of freestanding institutions, and units offering art/design and art/design-related programs (both degree- and non-degree-granting), including those offered via distance education.

Requested Scope of Recognition: The accreditation throughout the United States of freestanding institutions, and units offering art/design and art/design-related programs (both degree- and non-degree-granting), including those offered via distance and correspondence education.

Committee Recommendation: Vote: 14-0

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

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

§602.14(d)(e)	§602.15(a)(3)	§602.15(a)(4)	§602.16(a)(1)(vi)
§602.16(a)(1)(ix)	§602.19(b)	§602.20(b)	§602.24(a)

The above issues focus on the need for the agency to provide adequate documentation of its amended policies and demonstrate their application regarding the composition of evaluation teams, the site review process, and the agency’s monitoring and enforcement of its standards, policies and procedures. Also, the agency must revise its policies to ensure that the Board of Directors of the Association plays no role in making policy decisions of the agency's accreditation function, as required by (d)(2) of the Section 602.14 of the Criteria.

The Committee questioned the agency about its assessment of student support services, particularly, job placement, and the requirement to assess all accredited programs. The agency acknowledged its awareness of the requirement and its intent to reflect its application of the standard (career counseling) more clearly. The discussion also illuminated the struggle with good regulating and not being too prescriptive but not being too vague.

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

NACIQI Primary Readers:

Mr. Arthur Rothkopf; Dr. Larry Vanderhoef

Representatives of the Agency:

Mr. Samuel Hope, Executive Director, NASAD

Ms. Karen Moynahan, Associate Director, NASAD
Mr. Richard Mann, Counsel, Keller and Heckman, LLP

F. New England Association Of Schools and Colleges, Commission on Institutions of Higher Education (NEA-CIHE)

Action for Consideration: Petition for Renewal of Recognition

Current Scope of Recognition: The accreditation and preaccreditation (“Candidacy status”) of institutions of higher education in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont that award bachelor's, master's, and/or doctoral degrees, and associate degree-granting institutions in those states that include degrees in liberal arts or general studies among their offerings, including the accreditation of programs offered via distance education within these institutions. This recognition extends to the Board of Trustees of the Association jointly with the Commission for decisions involving preaccreditation, initial accreditation, and adverse actions.

Requested Scope of Recognition: The accreditation and pre-accreditation (“Candidacy status”) of institutions of higher education in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont that award bachelor's, master's, and/or doctoral degrees, and associate degree-granting institutions in those states that include degrees in liberal arts or general studies among their offerings, including the accreditation of programs offered via distance education within these institutions. This recognition extends jointly, to the Commission for accreditation and pre-accreditation decisions and to the Board of Trustees of the Association and the Commission for the appeal of adverse actions.

Advisory Committee Recommendation: Vote: 13-0 (Recusal: Staples)
NACIQI recommends that the NEACIHE’s scope of recognition be modified to remove references to the Board of Trustees and to joint decision-making. The modified scope would read: The accreditation and pre-accreditation ("Candidacy status") of institutions of higher education in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont that award bachelor’s, master’s, and/or doctoral degrees and associate degree-granting institutions in those states that include degrees in liberal arts or general studies among their offerings, including the accreditation of programs offered via distance education within these institutions.

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 the issues identified in the staff report.

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

§602.12(b) §602.14(a) §602.14(b) §602.22(c)(2)

The above issues focus on two primary issues. One area of concern is related to the CIHE's separate and independent status relative to the New England Association of Schools and Colleges. Specifically, the agency needs to document and demonstrate that it operates separately and

independently of the Association's Board of Trustees, to demonstrate that it has both budget and staffing autonomy, and to clarify in its policies what entity is responsible for selecting appeals panel pool members. The second area of concern is related to the agency's procedures for the approval of additional locations and the need to revise its policies to address the establishment of representative samples of additional locations for review during focused on-site visits.

The Committee engaged the agency in extensive discussion relative to the relationship between the NEACIHE and the NEASC going forward and the timeframes to accomplish the transition in its separateness and independence from the NEASC. The Committee also queried the agency regarding its transparency and public disclosure regarding various institutional metrics (financial and student outcomes) and its accreditation actions.

The Committee also heard third party comments in support of the agency's continued recognition.

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

NACIQI Primary Readers:

Dr. Arthur Keiser; Dr. Frank Wu

Representatives of the Agency:

Dr. Barbara Brittingham, President/Director, NEACIHE

Ms. Patricia O'Brien, Deputy Director, NEACIHE

Ms. Jean Wyld, Vice President for Academic Affairs, Springfield College, and Chair, NEACIHE

Third Party Oral Comments:

Mr. J. Stroud, Immediate Past- President, NEACIHE and Board Chair, NEASC

G. North Central Association of Colleges and Schools, The Higher Learning Commission (NCA-HLC)

Action for Consideration: Petition for Renewal of Recognition.

Current Scope of Recognition: Current Scope: The accreditation and preaccreditation ("Candidate for Accreditation") of degree-granting institutions of higher education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Wyoming, including the tribal institutions and the accreditation of programs offered via distance education within these institutions. This recognition extends to the Institutional Actions Council jointly with the Board of Trustees of the Commission for decisions on cases for continued accreditation or reaffirmation, and continued candidacy. This recognition also extends to the Review Committee of the Accreditation Review Council jointly with the Board of Trustees of the Commission for decisions on cases for continued accreditation or candidacy and for initial candidacy or initial accreditation when there is a consensus decision by the Review Committee.

Requested Scope of Recognition: The accreditation and preaccreditation (“Candidate for Accreditation”) of degree-granting institutions of higher education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Wyoming, including the tribal institutions and the accreditation of programs offered via distance education within these institutions. This recognition extends to the Institutional Actions Council jointly with the Board of Trustees of the Commission for decisions on cases for continued accreditation or reaffirmation, and continued candidacy and to the Appeal Body jointly with the Board of Trustees of the Commission for decisions related to initial candidacy or accreditation or reaffirmation of accreditation.

Advisory Committee Recommendation: Vote: 12-0 (Recusals: Armstrong; Pepicello)
NACIQI recommends that the NCA-HLC’s recognition be continued to permit the agency an opportunity to within a 12 month period bring itself into compliance with the Criteria cited in the staff report and that it submit for review within 30 days thereafter, a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

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

§602.16(a)(1)(i)	§602.16(a)(1)(ii)	§602.16(a)(1)(iii)	§602.16(a)(1)(iv)
§602.16(a)(1)(v)	§602.16(a)(1)(vi)	§602.16(a)(1)(vii)	§602.16(a)(1)(viii)
§602.16(a)(1)(ix)	§602.16(a)(1)(x)	§602.24(e)	

The singular issue that encompasses the above citations is that the agency needs to demonstrate its implementation of its new standards and policies which were effective January of 2013.

The Committee engaged the agency in discussion of its approach in applying a consistent assessment of adequate student outcomes and its application of its standards for integrity and ethical conduct.

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

NACIQI Primary Readers:

Dr. George French; Ms. Anne Neal

Representatives of the Agency:

Dr. Sylvia Manning, President, NCAHLC

Ms. Karen Solinski, Vice President for Legal and Governmental Affairs, NCAHLC

Mr. Gary Wheeler, President, Glen Oaks Community College, and Chair, NCAHLC

II. Renewal of Recognition as Nationally Recognized Accrediting Agencies Based on Review of the Agency's Compliance Report

A. Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM)

Action for Consideration: Renewal of Recognition after Review of the Compliance Report

Current and Requested Scope of Recognition: The accreditation and preaccreditation ("Candidacy" status) throughout the United States of first- professional master's degree and professional master's level certificate and diploma programs in acupuncture and Oriental medicine and professional post-graduate doctoral programs in acupuncture and in Oriental Medicine (DAOM), as well as freestanding institutions and colleges of acupuncture or Oriental medicine that offer such programs.

Committee Recommendation: Vote: 14-0

NACIQI recommends that the Secretary accept the recommendation as stated on the Consent Agenda. [NOTE: For this agency, the Consent Agenda contained the specific recommendation to renew the agency's recognition for a period of three years.]

Comments: There were no compliance issues and no further discussion of the agency's report.

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

NACIQI Primary Readers:

Dr. Jill Derby; Mr. Arthur Rothkopf

B. Accrediting Council for Independent Colleges and Schools (ACICS)

Action for Consideration: Renewal of Recognition after Review of the Compliance Report

Current and Requested Scope of Recognition: The accreditation of private postsecondary institutions throughout the United States offering certificates or diplomas, and postsecondary institutions offering associate, bachelor's, or master's degrees in programs designed to educate students for professional, technical, or occupational careers, including those that offer those programs via distance education.

Committee Recommendation: Vote: 14-0

NACIQI recommends that the Secretary accept the recommendation as stated on the Consent Agenda. [NOTE: For this agency, the Consent Agenda contained the specific recommendation to renew the agency's recognition for a period of three years.]

Comments: There were no compliance issues and no further discussion of the agency's report.

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

NACIQI Primary Reader:

Dr. Susan Phillips; Dr. Larry Vanderhoef

C. American Bar Association (ABA)

Action for Consideration: Renewal of Recognition after Review of the Compliance Report.

Current and Requested Scope of Recognition: The accreditation throughout the United States of programs in legal education that lead to the first professional degree in law, as well as freestanding law schools offering such programs. This recognition also extends to the Accreditation Committee of the Section of Legal Education (Accreditation Committee) for decisions involving continued accreditation (referred to by the agency as “approval”) of law schools.

Committee Recommendation: Vote of 13-0

(Recusal: Wu)

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition.

The Committee affirmed with Department staff that the agency submitted its required compliance report within the required timeframe. The Committee also sought and received confirmation from staff that the criteria for recognition contain no requirements re the cost of an educational program.

In its discussion with the agency, the Committee queried the agency at length on its monitoring of law schools relative to student outcomes, particularly, job placement rates; the accuracy and verification of the data; on its requirements for public disclosure of information; and its accreditation of private, for-profit law schools. The Committee sought clarification on the agency’s faculty standards, specifically, regarding the number of full-time faculty that a program must have and the definition of a full-time faculty member and the financial impact of the agency’s faculty standards on the cost of law education programs.

When queried re changes in its standards, the Agency stated that it is in-process of revising its standards to remove the restriction on the number of hours of outside employment for students during school and to increase the number of hours of credit for distance education. In this vein, during the ensuing discussion, the agency explained to the Committee the relationships with the State bars, the State judiciary, the bar admissions processes, and the Council of Chief Justices in its standards setting and accreditation functions and the importance of the relationship with these entities.

Finally, upon the Committee raising the question of the separateness and independence of the accrediting body from the parent organization, the agency representatives spoke directly of the separateness and independence of the recognized accrediting body from the public policy positions of the parent organization.

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

NACIQI Primary Reader:

Mr. William Armstrong; Mr. Arthur Rothkopf

Representatives of the Agency:

Mr. Barry Currier, Managing Director, Accreditation and Legal Education, ABA

Mr. Kent Syverud, Dean, Washington University School of Law

Mr. Solomon Oliver, Jr., United States District Judge

Mr. Scott Norberg, Deputy Consultant, ABA

Ms. Stephanie Giggetts, Assistant Consultant, ABA

D. American Psychological Association (APA)

Current and Requested Scope of Recognition: The accreditation in the United States of doctoral programs in clinical, counseling, school and combined professional-scientific psychology; predoctoral internship programs in professional psychology; and postdoctoral residency programs in professional psychology.

Committee Recommendation: Vote of 14-0

NACIQI recommends that the Secretary accept the recommendation as stated on the Consent Agenda. [NOTE: For this agency, the Consent Agenda contained the specific recommendation to renew the agency's recognition for a period of three years.]

Comments: There were no compliance issues and no further discussion of the agency's report.

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

NACIQI Primary Readers:

Mr. Richard O'Donnell; Dr. William Pepicello

E. Commission on Accrediting of the Association of Theological Schools (ATSUSC)

Current and Requested Scope of Recognition: The accreditation and pre-accreditation ("Candidate for Accredited Membership") of theological schools and seminaries, as well as schools or programs that are parts of colleges or universities, in the United States, offering post

baccalaureate degrees in professional and academic theological education, including delivery via distance education.

Advisory Committee Recommendation: Vote: 11-0

NACIQI recommends that the ATSUSC's recognition be renewed for three (3) years. Further, NACIQI recommends that the Assistant Secretary grant the accrediting agency's request for a contraction of its scope of recognition to exclude its pre-accreditation of theological schools and seminaries, as well as schools or programs that are parts of colleges or universities within its scope of recognition.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition.

After hearing from a third party commenter regarding the agency's continued recognition, the Committee queried the agency and the Department staff briefly about the lawsuits that the accrediting agency was engaged in with the 3rd party commenter.

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

NACIQI Primary Readers:

Ms. Anne Neal; Dr. Larry Vanderhoef

Representatives of the Agency:

Mr. William Miller, Director, Accreditation and Institutional Evaluation, ATSUSC

Mr. Tom Tanner, Director, Accreditation and Institutional Evaluation, ATSUSC

Third Party Oral Comments:

Mrs. Carol Nye-Wilson, citizen

F. American Dental Association, Commission on Dental Accreditation (CODA)

Action for Consideration: Renewal of Recognition after Review of the Compliance Report

Current and Requested Scope of Recognition: The accreditation of predoctoral dental education programs (leading to the D.D.S. or D.M.D. degree), advanced dental education programs, and allied dental education programs that are fully operational or have attained "Initial Accreditation" status, including programs offered via distance education.

Committee Recommendation: Vote: 13-0

NACIQI recommends that the CODA's recognition be renewed for four (4) years.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition.

Committee discussion focused on the issue raised by the third party commenters that there is inadequate dental hygienist representation on the decision-making body and inadequate input into decisions that ultimately affect dental hygiene standards thus resulting in limiting the scope and the role of the dental hygienist. After extensive questioning and discussion with the commenters and the agency about the history of these concerns, effect on the hygienist field, and ADA actions, the Committee concluded that the issues are primarily scope of practice issues under State licensure requirements and not within the scope of the Committee's authority.

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

NACIQI Primary Readers:

Dr. Arthur Keiser; Dr. Frank Wu

Representatives of the Agency:

Dr. Sherin Tooks, Director, CODA

Ms. Cathryn Albrecht, Senior Associate General Counsel, CODA

Dr. Kent Knoernschild, Chair, CODA

Third Party Oral Comments:

Denise Bowers, RHD, PhD, President –Elect, American Dental Hygienists' Association

Pamela J. Steinbach, RN,MS, Director Education and Research, American Dental Hygienists' Association

G. Council On Occupational Education (COE)

Action for Consideration: Renewal of Recognition after Review of the Compliance Report.

Current and Requested Scope of Recognition: The accreditation and preaccreditation ("Candidacy Status") throughout the United States of postsecondary occupational education institutions offering non-degree and applied associate degree programs in specific career and technical education fields, including institutions that offer programs via distance education.

Committee Recommendation: Vote: 11-0

NACIQI recommends that the COE's recognition be renewed for three (3) years.

Comments: The Committee found the agency to be operating in compliance with the criteria for recognition.

In its deliberation of the agency's continued recognition, the Committee queried the 3rd party commenter and Department staff, at length, regarding the nature of pending litigations involving the accreditor, the Department of Education, and the Decker College bankruptcy estate and the rules governing the recognition process, respectively.

The Committee requested that the Department staff officially report back to the Committee, at the appropriate time, regarding the resolution of the litigations.

Third Party Oral Comments:

Mr. Michael Goldstein, Dow Lohnes, representing Mr. Robert W. Keats, Trustee, Bankruptcy Estate of Decker College, Inc.

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

NACIQI Primary Reader:

Dr. Arthur Keiser; Mr. Cameron Staples

Representative of the Agency:

Dr. Gary Puckett, Executive Director/President, COE

Mr. Gregory Garrett, Director, (Retired) , South Central Louisiana Technical College, and Commission Chair, COE

Mr. Al Salazar, Administrator, Home Life and Community Services, Inc., and Commission Vice Chair, COE

Ms. Cynthia Sheldon, Associate Executive Director, COE

Mr. Kenneth J. Ingram, Partner, Altson and Bird LLP, and COE Special Counsel

Third Party Comments:

Mr. Michael Goldstein, for the Estate of Decker College, Inc.

H. Transnational Association of Christian Colleges and Schools (TRACS)

Action for Consideration: Renewal of Recognition after Review of the Compliance Report

Current and Requested Scope of Recognition: The accreditation and pre-accreditation (“Candidate” status) of Christian postsecondary institutions in the United States that offer certificates, diplomas, and associate, baccalaureate, and graduate degrees, including institutions that offer distance education.

Advisory Committee Recommendation: Vote: 11-0

NACIQI recommends that the TRACS’ recognition be renewed for three (3) years

Comments: The Committee received clarification as to the agency’s definition of a ‘Christian’ college and noted that the agency is the gatekeeper for both Title III and Title IV funds. The Committee found the agency to be operating in compliance with the criteria for recognition and there was no further discussion of the agency’s report.

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

NACIQI Primary Readers:

Dr. George French; Dr. Federico Zaragoza

Representatives of the Agency:

Dr. T. Paul Boatner, President, TRACS

Dr. James Flanagan, President, Luther Rice University and Chair, TRACS

Dr. Benson Karanja, President, Beulah Heights University, and Vice Chair, TRACS

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

A. Maryland Board of Nursing (MBN)

Action for Consideration: Petition for Renewal of Recognition as a State Approval Agency.

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

Advisory Committee Recommendation: Vote: 12-0

NACIQI recommends that the Maryland Board of Nursing be granted 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 criteria cited in the staff report within 30 days of the expiration of the six-month period, with reconsideration of recognition status thereafter, including review of the compliance report and an appearance by the agency at a NACIQI meeting to be designated by the Department.

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

§3e

§3f

The issues above entail providing additional information regarding the agency's staffing, the Board's revision of its annual reporting requirements, and additional documentation related to its review of audited fiscal reports and school catalogs. The agency affirmed its commitment to the process and its ability to comply with the outstanding issues within the designated time (within the next six months).

Prior to voting, the Committee affirmed that the Department staff has no concerns re the quality of education in the programs that the Board approved.

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

NACIQI Primary Readers:

Dr. Susan Phillips; Mr. Frank Wu

Representatives of the Agency:

Ms. Patricia Kennedy, EdD, RN, Director, Education, Examination and Research MDBN

Ms. Emmaline Woodson, DNP, RN, FRE, Deputy Director/Director of Advanced Practice
Ms. Pamela Ambush-Burris, DNP, RN, FRE, Director of Education and Licensure MDBN