

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

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Welcome and Introductions

Susan D. Phillips, Chairperson, NACIQI 5

Discussion with Ted Mitchell, Under Secretary,
Department of Education

9

Consent Agenda

49

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)

52

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
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Joan C. Henricks, V.M.D., Ph.D., School of
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William Kay, DVM, DACVIM, DABBP
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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 222

Report Framework of the Deliberation
Susan Phillips, Chair

Committee Discussion/Deliberation:

Accreditation Policy Recommendations

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P R O C E E D I N G S

(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

1 American Council of Trustees and Alumni.

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

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

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

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

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

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

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

17 CHAIRMAN PHILLIPS: And staff along the
18 side check.

19 (Staff introductions off mike.)

20 CHAIRMAN PHILLIPS: Thank you very much.

21 Our first item of business today will be
22 to have an address by Ted Mitchell, Under Secretary

1 of the Department of Education.

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

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

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

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

22 First, the decision to require recusal by

1 Ms. Neal in the instance at hand has been suspended.
2 There is a formal reconsideration underway, where the
3 particulars in that instance, with the results to be
4 provided to Ms. Neal by December 31, 2014.

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

11 Third, the Office of General Counsel will
12 develop a discussion draft document about the factors
13 that play into the final judgments, particularly, for
14 those cases where there is ambiguity. The draft
15 standard operating procedures and the discussion
16 draft of factors will be distributed to the committee
17 for review, question, and comment by December 31,
18 2015. These documents and any needed revision will
19 be included as an action item on the June NACIQI
20 agenda.

21 I've also asked Ms. Griffiths and Ms.
22 Morgan to update the Committee on how complaints

1 against agencies are handled, and how those
2 complaints are considered in the NACIQI review
3 process by our next committee meeting.

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

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

11 CHAIRMAN PHILLIPS: So noted.

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

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

21 Actually, before I begin, there are a
22 couple of other members of the Department who are

1 there that I'd like to introduce.

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

13 We talk a lot in our work together about
14 the triad, and we'll spend some time talking about
15 that this morning, I know, but I want to talk about a
16 slightly different kind of triad, one that's been
17 quite important as the frame for our work in the
18 Obama Administration; and that's the re- part of the
19 equation that starts with access that has
20 affordability as its next leg, and then outcomes.

21 And it's that triad, the link between
22 access, affordability, and outcome that is really at

1 the center of our work as an Administration, and has
2 been at the center of the policy work that we do.

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

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

18 The Secretary, our colleagues on the Hill
19 have populated NACIQI with an incredible array of
20 experts who bring to this project great expertise,
21 both in your institutionalized and your lives working
22 through the accreditation process.

1 In comparison to you, I am a rookie
2 several times over. Not only am I relatively new to
3 this job, but I only served one round as a
4 commissioner on WASC and some time on campuses, but I
5 do think that those varied experiences give me a
6 sense of the task at hand.

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

15 In that partnership, I think we start with
16 a terrific sense of shared values, and I think at the
17 center are these ideas of quality of access, of
18 affordability, and of high outcomes. I think that we
19 share the vision that in the 21st Century higher
20 education in America will be more open to more
21 students who typically have not had access to higher
22 education and that we will come to embrace what we

1 used to call as non-traditional students, really the
2 new normal--students that span the age range, the
3 socioeconomic range, who are working part-time,
4 schooling part-time, managing complicated lives, but
5 still working to build a higher education portfolio
6 that enhances their well-being, and through their
7 well being as a community and as a nation.

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

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

22 At the College Opportunity Summit last

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

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

22 I said a couple of days ago that this is

1 both a math problem, getting the numbers that we need
2 to solve the President's problem, but it's also more
3 fundamentally a moral challenge to us. Can we create
4 a system of higher education that reaches more
5 effectively into populations that had been deprived
6 of access and populations that currently don't
7 complete higher education at rates that are not
8 conscionable for us?

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

17 We're bullish because we're seeing
18 institutions changing their game inside. We're
19 seeing institutions, for example, using information
20 technology and data systems to create predictive
21 analytics that allow institutions to understand
22 students who are at risk of dropping out earlier than

1 they might have before, enabling them to intervene to
2 create a leg up on persistence and completion.

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

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

17 We'd like to be a part of that innovation
18 exercise in the Department, and we'd like to do it in
19 several ways. We'd like to do it first by supporting
20 those campus-based innovations that I categorized
21 just a second ago. And so our first in the world
22 grant program is a way for us to reach out directly

1 to institutions and sponsor innovative projects that
2 we hope will help improve access and moderate costs.

3 We're also hoping that we can, in addition
4 to supporting innovation, that we can support the
5 research and evaluation that's so necessary to help
6 us understand which innovations are really moving the
7 dial for students, and particularly, traditionally
8 underserved students.

9 And so, our research agenda, in
10 collaboration with our colleagues at NCES and IES
11 will be geared toward evaluating innovative projects
12 and programs, hopefully offering us a road map that
13 other institutions can follow. In addition to
14 sponsoring innovation and helping to do the
15 evaluation and the research, we want to be able to
16 scale the innovations that are, indeed, promising.

17 And so achieve that, we are working
18 through our grant programs, and through the good work
19 of Lynn and her colleagues to encourage grantees,
20 applicants for federal funds, to link their proposals
21 to establish research bases that will allow promising
22 innovations to scale.

1 And then finally, we are committed to
2 following the trail of those scaled innovations and
3 promising innovations to make our proposed policy
4 changes that will make it more likely that more
5 innovative practices affecting more students can take
6 place. And we know that, in part, that's going to
7 mean getting out of the way. It's going to mean
8 changing some regulations to make it easier for
9 institutions to create innovative practice, and we're
10 experimenting there as well.

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

18 In those ways and others, we would like to
19 be able to spur innovation, prompt the evaluation of
20 that innovation, scale those innovations and create a
21 policy map that will lead us to the next cycle of
22 innovation and change, but, in that, we need your

1 help.

2 We need your help because the basic
3 premise of innovation is that things change. And as
4 we change things, we need to be flexible and we need
5 to encourage flexibility at an institutional level.
6 We need to encourage flexibility among accreditors as
7 well. But we need to thread the needle because
8 flexibility doesn't mean the Wild West. Flexibility
9 doesn't mean anything goes. Flexibility has to be
10 combined with rigor and I think that that's the
11 challenge that we face over the next several years is
12 to work with accreditors who will work with
13 institutions to develop a scheme that is both
14 flexible and rigorous, and I hope that we'll be able
15 to spend some time today talking about how that might
16 happen.

17 I want to talk about one other kind of
18 innovation, and that's an approach that the
19 Administration has taken, not only in education, but
20 across government; and that is to be more transparent
21 and to create accountability across all of the
22 systems in which the federal government operates.

1 And so, for us, that has meant regulations
2 that create both transparency and accountability, and
3 I'll mention two because they directly affect
4 NACIQI's work of accreditors. Gainful employment
5 regulations are established in order to provide some
6 guardrails for career and technical education
7 programs to make sure that at the end of the day
8 those programs are doing what they set out to do,
9 which is to provide students with training and
10 credentials that will enable them to upscale and to
11 make a better living than they might have otherwise.

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

18 Weak programs have already been
19 eliminated, costs have been reduced, and some
20 important innovations have been made in the way that
21 many of these institutions work with their students.
22 As we look at the numbers today, we estimate that

1 under the current regulation, the new regulation,
2 1,400 programs serving 840,000 students would not
3 currently pass the regulation. And so that will be
4 an important, we think, floor to establish as we work
5 to protect our students in technical programs.

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

17 And so, in accordance with this desire to
18 be transparent and to create systems of
19 accountability, the regulations that we've proposed,
20 ask states to create matrixes that would enable them
21 to rate teacher education programs in one of four
22 quality categories according to measures the states

1 establish in consultation with stakeholders.

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

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

22 Third, we think that states ought to

1 evaluate the programs from the point of view of the
2 novice teachers and the employers themselves, and so
3 we're encouraging states to create survey instruments
4 for the novice teachers and for their employers to be
5 able to get direct feedback about the efficacy of,
6 not just the program in general, but particular
7 elements of the program.

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

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

19 Not a regulation, but an important
20 initiative of the Department is to create a system of
21 ratings for colleges and universities. And this we
22 believe is a different kind of accountability, a kind

1 of public accountability that is gained by making
2 more data more available in a transparent way.

3 By the end of the fall -- no jokes please.
4 By the end of the fall, we're committed to delivering
5 to you and to the field a paper that will describe
6 what we have in mind for the rating system. And you
7 can pick your word of choice, a schema, a wire frame,
8 an outline. It will describe the logic that we're
9 looking at, and it will describe in some detail some
10 of the matrixes that we're intending to use. And
11 importantly, it will ask your help in helping us make
12 some choices between a couple of different
13 alternatives that we have in mind in some of those
14 matrixes.

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

21 So, let me use that return to quality as a
22 pivot to come back to our work together and to some

1 of the challenges that we face within the
2 accreditation environment. Again, I want to assert a
3 central principle, which is that we, NACIQI,
4 accreditors, and the Department are committed to a
5 mutually respectful and constructive conversation
6 about ways to ensure that the work we do is both
7 meaningful to us and impactful in the field, and
8 critically impactful with students.

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

17 I know that Herman and Jamie want to be a
18 part of that conversation in an ongoing way, as do I.
19 And so let me raise a couple of questions that maybe
20 we can start with in a minute, but I think we can
21 probably just dive in as well. We're clearly keen on
22 transparency and accountability. We're clearly keen

1 on opportunities that drive things that matter. For
2 us, those three things are affordability, access, and
3 outcome.

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

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

17 Susan has asked interesting questions
18 about what it might mean to have a role for peer
19 review among accreditors. I think that that's
20 another issue that would be interesting to talk
21 about. And I would be denying the significant
22 portion of my daily exercise if I didn't put on the

1 table the question of what we ought to learn from the
2 experience at Corinthian colleges and other colleges
3 who -- John and I were talking earlier -- who,
4 perhaps, don't enter the peer review process with the
5 same assumptions in mind that others do.

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

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

17 CHAIRMAN PHIIIPS: Thank you so much. We
18 really appreciate the update of a larger perspective
19 and the hand across the aisle, so to speak, to be a
20 partner with us in the work that we do, how we can be
21 helpful to you, and you've posed some really
22 interesting questions. Certainly, ones that we've

1 been working with about how we might reshape the
2 accreditation recognition process ourselves.

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

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

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

18 I might make a request and then a question
19 for you. We are short at least five members of
20 NACIQI. And I would ask -- and the five, or at least
21 three of them who have been colleagues of ours, and
22 very good ones, we miss. They're the nominees of the

1 House Democrats. And anything the Department can do
2 to urge them to action maybe in the next few days
3 would be welcomed because we really do miss our
4 colleagues. And think there are a couple of others,
5 if you will, tied up within the Department. So, to
6 get to a full complement I think is important for
7 these discussions.

8 Point two, we're talking --

9 SECRETARY MITCHELL: I will get on it.

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

12 SECRETARY MITCHELL: That remains to be
13 seen.

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

20 One of the things we talk about is getting
21 NACIQI involved in more than just the narrow
22 questions of approving agencies for approval and then

1 recommendations to the Secretary. We're actually
2 going to discuss the question of whether we should be
3 involved on questions of gainful employment or the
4 ratings. And I guess I would urge or take your views
5 on whether or not the Department might come to us and
6 talk with us about things such as the rating system.

7 We've not been part of that conversation.
8 We've not been part of the conversation on gainful
9 employment. We have ideas about more transparency,
10 not just as you described, but also transparency
11 within the accreditation system. We think that
12 that's right. And I know you're formulating
13 recommendations for Congress on higher education.
14 We'd like to be a part of that because I think the 18
15 members here have a whole lot of expertise and a lot
16 of opinions. So, I just wonder do you think we could
17 expand the role of NACIQI beyond the very narrow
18 questions that we deal with. So, I'm interested in
19 your response.

20 SECRETARY MITCHELL: Certainly, it's a
21 great insight. And so when I said at the outset that
22 we needed to work together and more directly, more

1 consistently, and more deliberately I think part of
2 doing that is actually broadening the aperture and
3 figuring out ways for us and topics for us to
4 usefully engage you with. And so we're open to
5 figuring out what that aperture should look like and
6 what kinds of issues ought to be in the exchange
7 between the Department and the NACIQI, so we're ready
8 for that conversation. And I know that Herman and
9 Jamie and I are eager to have it. So, if we could
10 figure out a way to follow up after.

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

16 MR. ROTHKOPF: Thank you very much.

17 MR. KEISER: I have a challenge as an
18 institutional member that by increasing regulation we
19 hope to decrease costs and increase affordability.
20 I've yet to see that happen in my 38 years of working
21 in higher education. So, if you could explain how by
22 making accreditors, or for that matter institutions,

1 follow more regulations and then lower costs I'd be
2 real eager to hear that.

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

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

18 So, for instance, the teacher ed
19 regulation package that we worked on, we worked
20 closely with a number of states who are already
21 moving in this direction to ask them what are the
22 data that they're gathering? How does that work so

1 that we're essentially asking them to push the data
2 to us in a different way, and they already report on
3 Title II? So, we're trying to craft these things in
4 ways that minimize additional cost, but your point is
5 well-taken.

6 And we are also then, and fully supportive
7 of the bipartisan commission that is looking at
8 regulatory reform, fully support their efforts to try
9 to eliminate unnecessary or duplicative regulation.
10 And finally, I think in the Higher Ed Act
11 Reauthorization, we will be in there with our best
12 shots at taking opportunities to eliminate things
13 that are in statute rather than in regulation, or
14 required in statute regulation that we think are
15 unnecessary.

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

19 And perhaps, not surprisingly, I'd like to
20 address the issue of what we might have learned from
21 the Corinthian events. And think there are two
22 things that I'd like to address, one is the issue of

1 what I call iron-hand consequences as we look to
2 address issues, specifically, in one sector, but I
3 think issues that probably have broader application
4 across all of higher education, and ask the question
5 if we were to apply some of the same standards across
6 the board as we do to the for-profit piece would
7 there be additional unintended consequences that I
8 think we need to consider, especially, when we're
9 addressing the issue of access?

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

21 SECRETARY MITCHELL: So, I think our
22 approach has been to work to fix, and I think that

1 that's why we hoped to have the dual options for
2 Corinthian as they wind down to sell to a different
3 operator who could undertake to really provide the
4 highest quality education to their students. And we
5 believe we're on track to do that with a number of
6 those campuses.

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

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

20 And I guess our hope is that the answer
21 would be yes, and maybe the tools aren't built yet in
22 the accrediting agencies toolkit, but I think that's

1 something that we would really like to engage with
2 you on. Does that make sense, as a question?

3 MR. PEPICELLO: Yes. Thanks very much.

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

13 I'm curious if you have any --

14 SECRETARY MITCHELL: But it's a great
15 image.

16 MR. ETCHEMENDY: I'm curious if you have
17 any thoughts about any way to change the system so
18 that we have what in a different context we call
19 intermediate sanctions where's there something short
20 of the death penalty, but something more than -- so,
21 currently, in the accreditation system if you're not
22 prepared to issue the ultimate penalty, then what do

1 you do while you require a lot of bureaucratic --
2 you're require more reports, you require more visits
3 and so you, of course, cause a lot of pain for the
4 institution, but doesn't have many teeth.

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

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

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

1 that's exactly right.

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

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

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

1 in their view.

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

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

16 If they're doing it, I would guess with a
17 high degree of certainty that there are a lot of
18 other places with phantom courses. And how do we
19 deal with that, and is that a failing of the
20 accreditors? And where does the Department come in,
21 where do we come in, where do the states come in to
22 assure that that degree means something.

1 And so, I'll put those two situations on
2 for discussion as to how you think we can get at
3 those problems.

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

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

21 And if it's through legislative authority,
22 then I think that becomes an important bulwark of

1 what we would work with Congress on in the Higher
2 Education Act. So, I think more conversation about
3 that issue that would enable us to create across this
4 visual triangle a safety net for students that will
5 allow some assurance that between the federal
6 government and the accreditor and the state that
7 there is watchful attention to student outcomes and
8 there are actions that can be taken to protect
9 students in the event of shortcomings at an
10 institutional level.

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

21 While those two topics disappointingly
22 were not a bucket, as we call them, a main topic, we

1 were asked to think about how access and
2 affordability could be interwoven throughout
3 accreditation. And as to the Higher Education Act,
4 as the Higher Education Act is being reauthorized,
5 will the Department's legislative priorities or one
6 of your priorities be to place a greater
7 responsibility on accreditors to focus on access and
8 affordability?

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

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

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

22 So, we don't have a firm answer to your

1 first question, and I raised it in my remarks to
2 raise it because I do think that we need NACIQI's
3 help and advice about whether the access and
4 affordability vectors ought to count in the
5 accrediting process; and if so, how?

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

14 And I think the second part of your
15 question is that our legislative agenda will continue
16 to focus as strongly as we can on these combined sets
17 of three issues on access issues, and so this is
18 where we will continue our work on Pell grants,
19 continuing to make Pell grants accessible to
20 students. We'll work to sustain the American
21 Opportunity tax credits. We will work to make the
22 Federal Student Loan process even more navigable and

1 transparent and do what work we can to make the
2 student borrowing experience -- to make the
3 investment in higher education payable at the back
4 end by making student debt manageable. And we'll
5 encourage institutions -- and we've have this in our
6 budget proposal for a number of years -- we will
7 encourage institutions quite directly to enroll more
8 Pell-eligible students and to ensure their completion
9 by raising the prospect of a Pell bonus for
10 institutions that do well in that regard.

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

21 On the regional accrediting front, I think
22 one of the things that is in the air, and I look

1 forward to reading your report, the regional
2 accrediting system I think how we create a sensible,
3 ecosystem of accreditors in an environment in which
4 institutions are no longer entirely "place-based" I
5 mean just raises a bunch of questions about the
6 place-based systems, whether they're accrediting
7 systems or any of the other systems of which we work.

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

14 MR. BOEHME: Thank you.

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

18 Ted, thank you so much. You have really
19 enriched the conversation that we will have this
20 afternoon. We thank you for your prespective and for
21 your partnership in working through some of these
22 very challenging issues.

1 SECRETARY MITCHELL: Thank you.

2 CHAIRMAN PHILLIPS: Thank you. The
3 Committee, we're going to stand adjourned for a
4 15-minute break. We'll resume at about 9:15 and take
5 up our regular agenda. Thank you.

6 SECRETARY MITCHELL: Thank you. Thank you
7 all.

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

9
10 CHAIRMAN PHILLIPS: All right. Good
11 morning. Welcome back. We are organizing our
12 technology. I had noted that Anne Neal would like to
13 read a note into the record following my announcement
14 earlier this morning. So, Anne, the floor is yours.

15 MS. NEAL: Thank you so much, Susan.

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

20 I lodged a public protest six months ago
21 at our last NACIQI meeting after a regulated agency,
22 SACSCOC, moved for my recusal in secret. The

1 Department promised to address the matter at that
2 meeting, but now six months later they want more
3 time.

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

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

18 While the Department cited this complaint
19 as the ground for recusing me, this complaint was not
20 shared with NACIQI, and it was not included in the
21 materials before the Committee when SACSCOC was
22 unanimously renewed by the consent agenda. I am

1 pleased that the Department has concluded that
2 further review is in order, but I must say the
3 decision is done and the earlier recusal cannot be
4 reversed.

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

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

20 CHAIRMAN PHILLIPS: Thank you, Anne.

21 We'll move to our next agenda item, which
22 -- pardon me?

1 Okay, I'm continuing to get messages that
2 the back can't hear, so let's do a test check, back
3 row. Yes? Okay. So, the guesstimate is about
4 between 6 and 8 inches from the mike here, and the
5 back row if you find yourselves with difficulty, I'll
6 keep an eye out for raised hands again. Thank you
7 for alerting us to this.

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

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

1 (Pause.)

2 MR. KEISER: Thank you, Madame Chair.

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

12 Yes, Jill?

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

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

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

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

22 Considering no discussion, is there a

1 motion to approve the consent agenda?

2 MR. ZARAGOZA: I so move.

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

5 DR. PEPICELLO: Second.

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

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

10 (Chorus of Ayes.)

11 MR. KEISER: Any opposed.

12 (No response.)

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

17 Consent Agenda MOTION

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22

1 (Pause.)

2 CHAIRMAN PHILLIPS: Thank you Art.

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

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

19 The primary readers for this agency are
20 Federico Zaragoza and William Pepicello, and we'll
21 turn it over to the primary readers for their
22 introduction.

1 MR. PEPICELLO: Thank you. This is Bill
2 Pepicello. The American Veterinary Association was
3 formed in 1863 to recognize the Veterinary medical
4 profession in the United States.

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

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

20 The Council on Education was on the
21 Commission of Education's first list of
22 nationally-recognized accrediting agencies published

1 in 1952 and has periodically been approved since that
2 time. The COE was last reviewed for recognition in
3 December of 2012, and at that time the senior
4 department official required the agency to come into
5 compliance within 12 months and submit a compliance
6 report that demonstrates the agency's compliance with
7 the issues identified in that staff analysis. And
8 the agency's compliance report is the subject of this
9 analysis today.

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

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

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

18 The staff recommendation to the senior
19 Department official is to grant the agency an
20 extension of its recognition for good cause for a
21 period of six months and require the agency to submit
22 a compliance report demonstrating its compliance with

1 the cited criteria within 30 days of expiration of
2 the six-month period with reconsideration of
3 recognition status thereafter, including review of
4 the compliance report and appearance by the agency at
5 a NACIQI meeting to be designated by the Department.

6 Further, regarding the new finding under
7 602.16, continue the agency's recognition and require
8 the agency to come into compliance within 12 months,
9 and submit a compliance report that demonstrates the
10 agency's compliance with wide acceptance among
11 practitioners.

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

21 The Department has received over 900
22 written comments regarding the agency's compliance

1 report, and there are oral commenters prepared to
2 testify here today. Thank you.

3 CHAIRMAN PHILLIPS: Thank you very much.

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

6 (Pause.)

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

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

14 I'm a professor at Michigan State
15 University, and I'm also chair of the Department of
16 Food Science and Human Nutrition there. With me
17 today is Dr. John Pascoe. Dr. Pascoe is a member of
18 the council, and the Executive Associate Dean of the
19 University of California/Davis School of Veterinary
20 Medicine. Dr. Karen Brandt, who's the Director of
21 Education and Research Division of the AVMA, and she
22 provides the staff support for the council, and then

1 Dr. David Granstrom, who is Associate Executive Vice
2 President of the AVMA and a former Director of
3 Education/Research Division there.

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

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

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

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

1 compliance items.

2 So, with regard to compliance with Section
3 602.13 and 602.21, I can state unequivocally that the
4 Council believes that the broad stakeholder input is
5 essential in order to assure that the standards of
6 accreditation retain their relevancy, and
7 responsiveness to contemporary, professional needs.

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

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

19 Regarding compliance with Section 602.16,
20 it is important to note that Council utilizes a
21 number of outcome measures to assess student
22 attainment of the basic scientific knowledge and

1 skills required to function as an entry-level
2 veterinarian at the time of graduation.

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

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

20 Based on this consistently high rate and
21 on the very negative stakeholder feedback when
22 threshold levels were proposed, the Council concluded

1 that use of placement and attrition metrics in the
2 context of trends would provide valuable input in
3 addition, of course, to employing the other methods
4 of accessing program quality that I mentioned
5 earlier.

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

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

19 The rubric includes guidance on the
20 interpretation and application of each standard. It
21 is clear and important to recognize that some schools
22 meet the standards at a minimum level, while others

1 may far exceed the standards; nonetheless, the
2 standards are applied in the same manner for all
3 schools.

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

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

14 CHAIRMAN PHILLIPS: Thank you.

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

17 MR. KEISER: Obviously, there is something
18 to get 900 concerns and complaints that came to us.
19 It's very extraordinary to have this number.
20 Obviously, there's a political involvement here, some
21 kind of internal politics. Could you explain what
22 the division is within the profession that would

1 create the campaign to address this with us?

2 DR. DERKSEN: There are several issues
3 that raised concern in the veterinary profession.
4 The first one is the distributive model of veterinary
5 education. So, classically, veterinary schools have
6 had a teaching hospital on campus, and so most of
7 those are placed at land grant universities, and that
8 was sort of the classical method of education.

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

21 This second issue relates to foreign
22 accreditation. And some people feel that foreign

1 accreditation should not be part of our mandate.
2 Well, this is a discussion that has taken place
3 inside the profession broadly. There's been a lot of
4 talk about it. The AVMA has had petitions at their
5 forum. There have been votes on this. And after
6 lots of discussion, the vote on this issue has been
7 80 percent of the profession supporting foreign
8 accreditation, 20 percent opposed.

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

21 MR. KEISER: Thank you.

22 CHAIRMAN PHILLIPS: Federico.

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

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

14 The other area that I wanted some
15 clarification on is that you cite your engagement
16 with foreign certification, and yet, your scope is
17 limited to U.S. institutions. So, I'd like to hear
18 what the rationale on that is. And then, thirdly,
19 obviously, staff of the Department did raise some
20 issues related to their concern over financial
21 assistance being available under the foreign
22 accreditation component and what your practice has

1 been as it relates to that point as well.

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

15 We review the standards annually, four at
16 a time, make recommendations for change. They go out
17 for public comment. Public comments and we look at
18 those comments before we make permanent changes.
19 There's an AVMA website that allows input. There's
20 an email address. Anybody is free to write comments.
21 There's a number of mechanisms in place where
22 stakeholders can give input. We're planning to do

1 more. For example, a survey that anybody can take on
2 accreditation issues and then I think we need to do
3 more in terms of informing practitioners about
4 accreditation and how it's done.

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

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

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

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

1 accreditation as well for Title IV.

2 DR. GRANDSTROM: Thank you for that
3 clarification.

4 CHAIRMAN PHILLIPS: Dr. Pepicello.

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

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

15 In this case, the extension of recognition
16 is recommendation for good cause, and I would like to
17 get your take on "for good cause" is here in that the
18 issues that were put on a six-month timeline are ones
19 that, at least according to the letter of the
20 Secretary, were due to meet compliance by February 14
21 or February 11, rather, of 2014. And we're
22 approaching a year from that date, and why we would

1 think that six months is sufficient for those to come
2 into compliance and then why 12 months for the new
3 finding? And in particular, I would like to ask what
4 your take is -- what the take was on the student
5 achievement issue since that, to me, is the most
6 worrisome thing that was not really remediated to
7 this point.

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

16 The remaining issues, however, we're
17 recommending a grant for extension of good cause,
18 given that the agency originally had 14 findings and
19 they were able to resolve 10 of them. The agency has
20 reached out me, and we've been providing ongoing
21 guidance. They have been acting in good faith, so
22 while there is significant work ahead of them, we

1 believe that they can remedy the remaining
2 non-compliance issues so long as they reach out to
3 their stakeholders and do some revision to their
4 policies.

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

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

20 DR. PEPICELLO: Thank you. And just a
21 quick follow up on that, and certainly I do want to
22 acknowledge the fact that great progress was made

1 since the last report. But given the fact that there
2 were still unresolved issues and a new one that
3 arose, was there any discussion about possibly
4 placing any limitation on the agency until compliance
5 was achieved?

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

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

21 Another major change for them was to
22 address allegations from the community that it was an

1 insular, kind of non-transparent process. And
2 throughout the draft analysis they have made changes
3 to make their processes more transparent. And again,
4 we don't -- the answer is no. I mean we didn't
5 discuss any limitation to the agency's scope.

6 DR. PEPICELLO: Okay. Thank you very
7 much.

8 CHAIRMAN PHILLIPS: Herman and then Simon.
9 Again, this is questions for the agency or for the
10 staff.

11 MR. BANDS: Yes, I just wanted to
12 reiterate what Jennifer said. We worked with this
13 long and hard every step of the way, and we've had
14 some good conversations with the agency. And as
15 Jennifer said, they have taken some steps to correct
16 some policies. And I just want to reiterate it is
17 going to take some time to establish some of these
18 processes. If they hadn't taken any steps or had not
19 made any of the changes that we thought should be
20 implemented, then it may be a different story. But
21 we think that they did that and now we need to give
22 them some time to work that out.

1 The last thing I want to say is the
2 six-month extension for good cause is basically
3 standard practice. If you would look back in a lot
4 of the analysis or the staff recommendations, we've
5 always given the six-month extension for good cause.
6 And then, as Jennifer said, the new finding would get
7 the full 12 months for them to come into compliance.

8 CHAIRMAN PHILLIPS: Simon Boehme.

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

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

18 So, those are obviously pretty strong
19 remarks, and I'm wondering where they're getting --
20 third-party commenters are getting this from? Are
21 they making this up? Is this simply not true? Was
22 this the case, but it's not the case any more, or do

1 you admit that the standards are vague and
2 inconsistently enforced and so on?

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

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

19 So, you're asking me why I think these
20 comments are made about inconsistent application of
21 standards, and I think there are two reasons for
22 that. One has to do with the distributive model.

1 And again, some people believe that the distributive
2 model of veterinary education is not at the same
3 standard that the education that is provided at land
4 grant universities like Michigan State or Cornell or
5 USC-Davis University and therefore the standards must
6 be applied in a different manner to those schools. I
7 don't agree.

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

17 So, that's the one concern that I see
18 people worry about, and the other is the research
19 standards. And again, the research standard says
20 something like it has to be a substantial research
21 program of high quality that's integrated with the
22 veterinary education process. And classically, at

1 land grant universities there is a huge research
2 program. You look at the schools I mentioned
3 earlier, you know they have very large research
4 programs and so those programs are well integrated
5 with the educational process.

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

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

19 So, to say it in another way, and I said
20 it in my testimony, some schools far exceed the
21 standard. So, they may have research programs that
22 are way larger than needed to effectively integrate

1 with the educational program of a veterinary student
2 while other schools don't exceed that standard that
3 much and so they meet the minimal standards. But
4 again, the standard research standard is applied
5 consistently throughout those schools.

6 MR. BOEHME: Thank you.

7 CHAIRMAN PHILLIPS: Thank you. Anne Neal.

8 MS. NEAL: Well, thank you for coming.

9 And I want to ask you a few questions with an eye to
10 what we're going to be discussing this afternoon.

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

18 DR. DERKSEN: Yes, I think that's
19 absolutely right. There are opinion leaders in the
20 profession that really oppose what we do. And again,
21 particularly, related to the distributive model and
22 accrediting schools that don't have a huge research

1 program like land grants do. And so that, I believe,
2 has been confounded with an economic concern into the
3 profession.

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

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

20 So, as I understand it, you have 28
21 schools of veterinary medicine that you accredit.
22 And as you look at that universe, what is your

1 passage -- what is the passage rate or what are the
2 objective indicia of student achievement that you
3 could cite back to me? Are 90 percent of the
4 graduates of these schools passing the licensure? I
5 mean I'm just trying to get a sense of if I looked at
6 those 28 schools what would you say in terms of their
7 student achievement?

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

17 They don't tell you much about the quality
18 of one school versus another. So, that's why, maybe
19 naively, we have thought that these metrics should be
20 looked at in terms of trends, meaning that if the
21 school -- and this has not happened in the history of
22 the Council, as far as I know, but suppose that the

1 placement rates go down, then that's something that
2 we need to flag and address. And think correctly the
3 criticism has been, well, what's a significant
4 decrease? You really need to put a number on this,
5 and this is what I think we need to do is put a
6 number on it.

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

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

18 CHAIRMAN PHILLIPS: Dr. Rothkopf.

19 DR. ROTHKOPF: Yes, Arthur Rothkopf. And
20 I may have missed it in the materials, which I
21 confess not -- to have reviewed, but not studied.
22 What's the situation with the foreign veterinary

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

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

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

21 So, I believe there are 13, is that right,
22 14 foreign veterinary schools that we accredit. In

1 the beginning, a foreign veterinary school asked if
2 they could be accredited by us, and through a process
3 of this discussion within the profession we agreed to
4 do that. So, we don't elicit requests for
5 accreditation.

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

18 When it comes to the student outcomes
19 assessments, we use exactly the same standards as we
20 do for domestic schools, and so placement rates,
21 attrition rates. Placement rates are very high.
22 Attrition rates a very low. Some of those students,

1 foreign students take the NAVLE, the licensing
2 examination here. They pass them at the same rate as
3 North American students do. So, by any measure that
4 we use their outcomes are as good as any other
5 veterinary school in North America.

6 Any other comments on that?

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

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

21 DR. DERSEN: Right. So, the motivation
22 for seeking accreditation by foreign veterinary

1 schools is really twofold. One, they want to point
2 at reaching a bar, a standard that's considered the
3 best standard in the world, and that's the Council on
4 Education accreditation. And so, there are schools
5 that do that and have no students that take the
6 NAVLE, and so, therefore, could not practice in the
7 United States.

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

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

21 DR. PASCOE: There are parallel processes
22 to human medicine for licensing veterinarians to

1 practice in the United States if they do not graduate
2 from a COE-accredited school. So, I think that was
3 part of your question as well. So, there is a
4 parallel process.

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

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

22 DR. ROTHKOPF: And maybe my final

1 question, which I guess you haven't answered, maybe
2 Carol can talk to it. What about this foreign
3 medical school process? Does that apply to you all,
4 or is that just for medical schools?

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

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

16 They have to be deemed acceptable by 15
17 July. That will then also require the AVMA to
18 address those standards for the foreign schools that
19 they also accredit, so there's no overlooking them.
20 So, any accreditor of foreign, veterinary medicine
21 will have to apply these standards. There's no
22 operational committee for that. The Accreditation

1 Group designed the criteria based on standards from a
2 couple of the organizations, and we looked at some of
3 the foreign medical criteria, and once that begins,
4 those accreditors then will be reviewed every six
5 years.

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

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

19 As Dr. Derksen said, when we go on almost
20 all of our foreign site visits now are joint with the
21 Royal College of Veterinary Surgeons and the
22 Australian and Great Britain Council. This

1 represents accreditation of all of the schools in
2 Great Britain and the schools in Australia and New
3 Zealand. There's only one in New Zealand. So, we
4 work together.

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

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

22 CHAIRMAN PHILLIPS: Further questions of

1 the staff or the agency at this point?

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

6 Back of the room, can you hear okay?

7 Okay. Thank you.

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

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

20 Good morning, Dr. Allen. You have to
21 press the button so that the red is on, and observe
22 the eight-inch rule.

1 DR. ALLEN: I'll try to do so. Thank you.

2 Good morning. My name is Shelia Allen. I
3 am honored to serve as Dean of the College of
4 Veterinary Medicine at the University of Georgia for
5 the last 10 years. I have my bachelor's and my DVM
6 from Cornell University, and I'm a board certified
7 surgeon.

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

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

17 I wish to thank the Committee for the
18 constructive feedback given to the COE. A number of
19 substantive changes have been made that improved our
20 policies and procedures. The changes include the
21 development and implementation of the rubric used by
22 site visitors to assess and document compliance with

1 all standards. The results in the report provide
2 detailed evidence of compliance that the Council can
3 review when making decisions.

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

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

19 We now have half of the members selected
20 by a committee within the AMVA and the other half by
21 a committee of the AAVMC, modeled after that
22 practiced by the LCME, as recommended by our

1 stakeholders.

2 Another concern voiced by veterinarians
3 is whether the Council should evaluate schools
4 outside the U.S. The Council has been evaluating
5 schools outside the U.S. for over 40 years;
6 nevertheless, in response to the concerns recently
7 voiced about that practice, accreditation of
8 international schools was openly debated in the AVMA
9 House of Delegates. This is a body of individuals
10 representing the entire country and representing all
11 factions of veterinary medicine. As mentioned
12 earlier, 80 percent of the membership voted in favor
13 of endorsing this practice.

14 Other concerns raised by veterinarians
15 include the use of the distributive model and
16 problem-based learning. These methods have been
17 successfully employed for decades in veterinary and
18 human medicine. The schools that employ these
19 methods provide clear evidence of student
20 achievement, documenting the effectiveness of these
21 models of education. Those who oppose these methods
22 have provided no evidence to the contrary.

1 I believe the COE's recognition of these
2 models reflects the acceptance of innovation while
3 enforcing rigor, which was highlighted in the opening
4 remarks.

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

10 CHAIRMAN PHILLIPS: Please finish.

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

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

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

1 Thank you.

2 CHAIRMAN PHILLIPS: Thank you very much.

3 Any questions of the Committee of this speaker?

4 Thank you for joining us.

5 Our next commenter is Trevor Ames with

6 Eric Bregman on deck.

7 Thank you for joining us.

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

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

22 The AAVMC supports the COE as a recognized

1 accrediting agency for the professional veterinary
2 medical programs. The COE is broadly accepted
3 throughout the educational community and widely
4 recognized as the most appropriate accrediting agency
5 in academic veterinary medicine. In fact, 26 of the
6 30 U.S. colleges wrote in support of the COE and none
7 wrote in opposition.

8 Following USDE hearings in December of
9 2012, the Department made several recommendations.
10 The COE has responded to those recommendations and
11 has taken action to assure it remains in strategic
12 alignment with the changing needs of the profession
13 and the society its serves.

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

20 Both the AAVMA and AAVMC have established
21 a nomination and selection process that includes a
22 thorough review of the candidate's credentials to

1 assure that the COE members have the necessary
2 qualifications and experience to serve on the
3 Council. We believe the composition of the Council,
4 which includes practicing veterinarians, veterinary
5 academician, three public members who are not
6 veterinarians provides a broad perspective, promotes
7 reason discourse, and results in carefully considered
8 decisions regarding the accreditation of veterinary
9 colleges without political influence.

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

19 Overall, we felt that the site team was
20 well informed by our self study and followed a clear
21 and transparent process that was reflected by the
22 evaluation rubric that we received.

1 As a result of our recent accreditation
2 review, I've informed the Minnesota Veterinary
3 Medical Association on the details of the process,
4 and I was pleased to see that they've provide the
5 USDE with a letter of support for the COE and its
6 accreditation process.

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

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

20 Thank you for this opportunity to present
21 this morning.

22 CHAIRMAN PHILLIPS: Thank you very much.

1 Committee members, any questions for this
2 speaker?

3 DR. AMES: Thank you.

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

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

17 To begin, I believe the AVMA executive
18 board and House of Delegates had no authority to
19 direct the supposedly autonomous agency to continue
20 accrediting foreign veterinary schools. I believe
21 that this is an unnecessary expenditure of time and
22 energy that could be better used in strengthening the

1 dysfunctional accreditation process for our North
2 American schools.

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

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

19 Further, I find it inexcusable that
20 graduates of foreign veterinary schools accredited by
21 the agency are not required to take the North
22 American veterinary medical licensing exam to

1 maintain those institutions accreditation, even
2 though this is an exam that is designed to identify
3 minimally competent, entry level graduate.

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

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

1 those agency seats.

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

7 In closing, I urge you to recommend
8 withhold agency recognition until the quality and
9 integrity of the accreditation process is ensured by
10 granting the agency its own budget, staff, and legal
11 counsel, and creating an impenetrable firewall
12 between the agency and its sponsoring organization.
13 Thank you for your time. It's most appreciated.

14 CHAIRMAN PHILLIPS: Thanks you very much.

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

17 DR. ROTHKOPF: You made a number of
18 allegations. Do you have the evidence because I've
19 been reading the letters that -- I didn't read all of
20 them I have to tell you, but I read many of the
21 letters. I'd say over 50. And they were all
22 allegations rather than evidentiary documents that

1 would allow us to deviate from the recommendation of
2 our staff.

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

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

14 I understand there must be a certain level
15 of confidentiality, but as a practitioner when I
16 evaluate, for example, the accreditation of a foreign
17 veterinary school, who's graduates can come to this
18 country and practice with the only requirement of
19 passing the NAVLI, I would be concerned as to why
20 those institutions are not required to maintain an 80
21 percent pass rate while domestic schools are. So,
22 those, to me, appear to be different standards.

1 Comments from the Council on Education are
2 that those are not high stake tests for those foreign
3 institutions, and I would submit well then they
4 should be high stake tests for those institutions to
5 have some objective measure that the standards are
6 being applied evenly and consistently.

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

14 DR. BREGMAN: Well, I think, as I look at
15 the situation the 11 standards of accreditation are,
16 to me, one of the most important parts of the
17 process. There is -- and again, as a practitioner,
18 there is the appearance that those standards are
19 continually massaged to meet the needs of the schools
20 that are seeking out accreditation. Whether that is
21 changing, how the determination of research standards
22 are changing, whether an institution is required to

1 be part of an institution of higher learning, whether
2 those students are required to have some type of
3 pre-program background education, this is the biggest
4 problem that, as practitioners, we see.

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

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

14 CHAIRMAN PHILLIPS: Other Committee
15 members. Anne Neal.

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

22 DR. BREGMAN: Okay. Thank you. I

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

9 CHAIRMAN PHILLIPS: Art Keiser.

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

19 DR. BREGMAN: That's not what I wish. Of
20 course not. What I wish for is that all of the
21 various stakeholders be brought together and that
22 people who are objective and familiar with the

1 accreditation process help to improve the Council of
2 Education -- the Council on Education and generate a
3 general sense among practitioners, in particular,
4 because that's what I am, that those schools are
5 being evaluated objectively and consistently, whether
6 they are foreign or domestic.

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

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

17 DR. BREGMAN: What I want is -- I think
18 that if practitioners are to be included as a
19 stakeholder in the accreditation process, then their
20 needs and their desires need to be recognized and
21 incorporated into the process I guess is the best
22 answer that I can give you.

1 From what I understand, there is no other
2 accrediting body, and so particularly in regards to
3 domestic schools we need -- that's why I'm here on my
4 own time, out of my clinic, having spent my own money
5 to come and say I'm concerned about my profession.
6 I'm concerned that my brother and my father are both
7 veterinarians and we are concerned that the quality
8 of education of students who are taking on crushing
9 amounts of student debt is not what it should be.

10 DR. KEISER: Thank you.

11 DR. BREGMAN: Thank you.

12 CHAIRMAN PHILLIPS: John Etchemendy.

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

21 DR. BREGMAN: There's some semantics I
22 think involved with that. And one of those is that

1 that particular requirement must be met by
2 institutions who have a certain proportion of their
3 graduates take the NAVLI. So, for example, if a
4 small foreign school only has three or four people
5 take the NAVLI, the idea, from what I gather, is it's
6 not appropriate to hold them to that 80 percent
7 standard. It's not a high stakes test for many of
8 the graduates who go to that school because they have
9 no intention of coming to this country to practice
10 veterinary medicine. And yet, domestic schools are
11 held to that standard and must maintain that pass
12 rate.

13 And again, as a practitioner, not as an
14 educator and not as a number cruncher, my thought is
15 that well if they're accredited and they are the same
16 as the domestic schools then all of their students
17 should be force -- they should have to take the test
18 as a high stakes test and pass at an 80 percent rate.

19 It's important to recognize that as it
20 stands now, my belief is that accreditation equals
21 licensure. There is not a single state in the United
22 States that has a practical exam or an exam that in

1 any way evaluates your ability to practice veterinary
2 medicine. They are all jurisprudence exams. So, all
3 of the states and all of the people who present their
4 pets to veterinarians in this country are assuming,
5 basically, that if you graduate from an accredited
6 school you're qualified to practice in the United
7 States. The NAVLI is designed to evaluate the
8 minimally competent veterinarian. I believe our goal
9 should be to continually strive to improve the
10 quality of education that students receive.

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

13 DR. BREGMAN: Yes, sir.

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

21 Specifically, you continue to mention
22 conflict of interest, which was one of the areas that

1 they were out of compliance before, but now they're
2 in compliance and they have new processes that seem
3 to me to much more objective than they were before.

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

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

18 DR. BREGMAN: Well, for one, as a
19 practitioner, you know, you would -- whether it's
20 roundtable discussions, whether it's becoming
21 familiar with the accreditors, meeting with them,
22 discussing with them perhaps in some way at national

1 meetings, holding forums and venues where the
2 accreditation process is better explained I think
3 would go a long way towards doing this. And there's
4 going to be -- honestly, there will be great
5 difficulty in reconciling all of these groups,
6 particularly, when you look at, as has been
7 discussed, the different models like the distributive
8 model and continue foreign accreditation. I think
9 that is a real problem. Thank you.

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

12 DR. PEPICELLO: Thank you. I'll try and
13 be quick. Just in light of your comments, I have --
14 I guess it's more of a comment in reply, and that we
15 heard the agency today commit to a greater
16 understanding and solicitation of input from all the
17 relevant constituencies, that being given, and that
18 we expect to see evidence of that presented in the
19 future, might it not make more sense, rather than to
20 not recognize the agency, which has a number of
21 unintended consequences, as Arthur Keiser pointed
22 out, to try to undertake a parallel process where the

1 kinds of changes that you're recommending would be
2 done internally rather than more or less blowing up
3 the institution externally.

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

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

10 DR. PEPICELLO: Thank you.

11 DR. BREGMAN: Thank you.

12 CHAIRMAN PHILLIPS: Thank you very much.

13 DR. BREGMAN: I appreciate your time.

14 Thank you.

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

18 DR. BROWN: Good morning very much (sic).
19 Thank you for hearing me this morning.

20 CHAIRMAN PHILLIPS: Welcome.

21 DR. BROWN: Dr. Nancy Brown. I submitted
22 my credentials when I submitted my information, so

1 I'll be brief.

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

14 While the Association of American
15 Veterinary Medical College is essentially a 28-member
16 deans group now selects approximately half the
17 members of the Council it too may not be free of
18 conflicts of interest. A small example, but
19 significant example, is some deans continue to serve
20 or have served on the Banfield Board, which would be
21 a business model, not a professional accreditation
22 model.

1 The vote against foreign accreditation in
2 January 2, 2014, which was mentioned several times,
3 and the point has been made that 80 percent voted to
4 continue foreign accreditation. The 20 percent who
5 voted not to approve actually equates to over 85,000
6 members of the AVMA. That is a significant number,
7 much more than presented in 2012.

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

16 Section 602.16 requires a review of
17 programs and states that the standards of
18 accreditation must be sufficiently rigorous to ensure
19 whether the agency is a reliable authority regarding
20 the institutions or programs it accredits. In 2010,
21 the AVMA changed the clinical resource requirement
22 from schools need to plan, supervise, and monitor to

1 schools must review their clinical experiences and
2 outcomes. How can the experiences of students be
3 evaluated when sent off to hundreds of unmonitored
4 sites?

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

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

19 The Council should be placed in the hands
20 of educators and others who believe in providing our
21 young, passionate students a constructive, healthy,
22 and profitable career. Thank you.

1 CHAIRMAN PHILLIPS: Thank you very much.

2 Members of the Committee questions for
3 this speaker?

4 Thank you for joining us.

5 DR. BROWN: Thank you.

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

8 Welcome.

9 DR. CLARKE: Good morning and thank you.
10 My name is Cyril Clarke, and I serve as dean of the
11 Virginia/Maryland College of Veterinary Medicine.
12 Prior to my appointment at Virginia Tech, I served as
13 dean of the College of Veterinary Medicine at Oregon
14 State University. I also serve as a current member
15 of the AVMA Council on Education. With its 20
16 members, I'm the only dean on that council.

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

21 The boards of directors of the veterinary
22 medical associations of Virginia, Maryland, and West

1 Virginia are all fully supportive of continued
2 recognition of the COE. Virginia/Maryland College of
3 Veterinary Medicine is fully accredited and is
4 currently the subject of a scheduled periodic review
5 by the COE.

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

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

22 After thorough review of a report drafted

1 by educational experts and college associate deans
2 and taking into consideration the imperative that
3 competency of new graduates be assured, the Academic
4 Affairs Committee of the COE drafted proposed
5 revisions to the standard that could be made
6 available for public comment in the near future. I
7 anticipate that the outcome of this process will be
8 further clarification of an important standard
9 consistent with the COE's commitment to continue
10 improvement.

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

19 As an educator, I will continue to engage
20 in conversations with stakeholders about these
21 issues, but I do believe that accreditation is not an
22 appropriate vehicle to address their concerns.

1 In conclusion, I recommend that the COE be
2 accord full recognition. Evidence has been presented
3 confirming why acceptance of the COE as well as its
4 commitment to engage relevant constituencies and a
5 periodic review of standards. The COE has
6 demonstrated its ability to adapt to the changing
7 needs of the public, the profession, as well as
8 academia. And I believe that it should be encouraged
9 to continue this process in a thoughtful and
10 deliberative manner as a fully recognized accrediting
11 agency. Thank you.

12 CHAIRMAN PHILLIPS: Thank you very much.

13 Members of the Committee, Jill Derby.

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

20 DR. CLARKE: Yes, I can, both in terms of
21 the philosophy of education as well as the practical
22 implementation of the standards.

1 Let me start with the latter. There is a
2 very rigorous application of the standards. The site
3 u-teams look specifically at the educational
4 dimension and conditions within those sites. They
5 address, in particular, the outcomes assessment
6 mechanisms that are used to assure that those
7 distributive sites is an appropriate standard, which
8 is applied particularly in regards to the attainment
9 of clinical competencies.

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

20 And I feel that these developments,
21 including the application of distributive model
22 education are important ideas that need to be

1 incorporated, and are, in the context of hybrid
2 models being incorporated into the educational
3 programs of traditional schools as well.

4 CHAIRMAN PHILLIPS: Art Keiser.

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

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

21 DR. CLARKE: I would agree that it is
22 certainly important for the Council to listen and to

1 be aware of, and to be responsive to concerns that
2 are raised from all constituents in our community.
3 I'm a fairly recent member of the Council. I've been
4 serving for approximately 18 months. So, my
5 experience captures entirely the very significant
6 changes that have been implemented in the Council, so
7 I don't have a personal basis for a comparative
8 analysis of where it is now and what the situation
9 was in the past.

10 What I can tell you now is that the
11 concerns in regard to inappropriate influence from
12 the organizations representing practitioners or
13 veterinary medical educators simply are not true.
14 The Council operates in a way that is very objective
15 and that is driven and predicated on the assumption
16 that the standards are supreme in assessing the
17 compliance and the quality of the educational system.

18 The Council works very appropriately in
19 terms of separating its conversations and its
20 deliberations from any political influence, and that
21 certainly has been my experience of the last year.

22 CHAIRMAN PHILLIPS: Further Committee

1 questions for this speaker?

2 Thank you very much for joining us.

3 DR. CLARKE: Thank you.

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

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

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

18 I will also tell you that one of the
19 greatest contributions to the quality of animal
20 health in the Country of Mexico, an NAFTA partner,
21 was the experience of the National University of
22 Mexico, who is my client, in going through years and

1 years of the accreditation process, resulting in
2 significant multi-million dollar investment in
3 facilities and programs and faculty, and the United
4 States can be proud of that contribution. And the
5 gold standards that the COE standards represent was
6 felt very directly and had a tremendous impact in
7 Mexico, and congratulations to the COE.

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

17 Secondly, much has been made of the 800 or
18 so comments that are critical to the COE. Out of the
19 100,000 veterinarians in the U.S., I am reminded from
20 my Stanford education of the maxim of Thomas Moore,
21 the great renaissance humanist and lawyer, who says
22 silence complies consent in the common law. So, I

1 would not conclude that the 99 plus percent of those
2 100,000 veterinarians who did not write represents a
3 no vote with respect to the COE.

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

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

1 would strip the COE of the authority that the critics
2 are here recommending.

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

13 And I'll point this out, if those
14 allegations -- and if I could just finish this one
15 point. Vice Chair Keiser made this point. Those are
16 purely allegations. If those allegations were true,
17 there would be evidence brought to you from the
18 public disciplinary actions of the veterinary medical
19 boards in the 50 states that those graduates, in
20 fact, are subject to a disproportionate number of
21 disciplinary actions in those states for substandard
22 or incompetent practice.

1 No evidence was brought to you because
2 that evidence doesn't exist because there is simply
3 no proof that those graduates are any better or
4 worse. And their passage rate would suggest that
5 they're the same.

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

9 Thank you for your time and testimony.

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

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

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

22 Since my alma mater as a veterinarianian and

1 my academic home for 40 years has been the University
2 of Pennsylvania School of Veterinary Medicine, it's
3 also relevant that I hold a professorial appointment,
4 have a long research career, and am boarded in
5 internal medicine, and have a secondary appointment
6 in the school of medicine.

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

16 An important element in meeting the
17 standard is the integration of these research
18 programs in veterinary student education. And in my
19 experience as a university that has been accredited
20 and is up for accreditation in another two years,
21 that criterion is carefully assessed and it is
22 assessed consistently across all schools of

1 veterinary medicine seeking accreditation or
2 re-accreditation.

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

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

21 I have experienced with both Ross
22 University and Western University of Health Sciences

1 faculty and students and alumni through various
2 meetings and presentations and we have Ross alumni
3 who've been recruited to be on our faculty. I cannot
4 claim quantitative or objective data, but as you have
5 noted, neither can those who impugn the quality or
6 impact of these recently accredited schools. So, it
7 is my personal experience that the work and the
8 qualifications and the integrity and always of these
9 individuals are undistinguishable from more
10 longstanding accredited school.

11 In summary, the idea that there are recent
12 changes in accreditation that are reducing the
13 quality of graduates and the experience of students
14 is not one that I can support by my own experience.
15 Again, extensive and well founded biomedical research
16 is an area that Penn is particularly proud of, but it
17 is not necessarily the same across all institutions
18 and research of very high impact that serve society
19 and the education of our students can be highly
20 variable, and I believe this will continue and
21 continue to help our profession be of high value to
22 society. Thank you.

1 CHAIRMAN PHILLIPS: Thank you very much.

2 Questions for this speaker?

3 Thank you for joining us.

4 The next person requesting public comment
5 is Kent Hoblet, with William Kay on deck.

6 MR. HOBLET: My name is Kent Hoblet. My
7 veterinary and graduate degrees are from Ohio State
8 University. I'm a board certified specialist in the
9 American College of Veterinary Medicine.

10 Since 2006, I've been the Dean of the
11 College of Veterinary Medicine at Mississippi State
12 University. Prior to going to Mississippi State, my
13 experience includes being on the faculty at Ohio
14 State University for 23 years, nearly 15 as a
15 department chair and in private practice for 12 years
16 prior to that.

17 I served as a member on the AVMA Council
18 on Education for 2005 to 2011. Currently, I serve as
19 the immediate past president of the American
20 Association of Veterinary Medical Colleges.

21 Today I will comment on three areas
22 regarding COE policy and implementation of changes

1 made in the accreditation process. First, under
2 response to third party comments from the most recent
3 Department of Education's report on compliance
4 there's a statement that reads, 'Standards are vague
5 and inconsistently enforced.'" That has not been my
6 experience.

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

14 The second point is since 2012 the Council
15 on Education has developed a pool of site team
16 evaluators apart from regular members on the Council,
17 and these evaluators represent, in my opinion, an
18 appropriate range of professional expertise. Our
19 college had its first site visit under this new
20 format in October 2014. I was pleased with the
21 preparedness of these evaluators as well as their
22 thoroughness and professionalism.

1 The third point I want to mention today
2 relates to the COE accreditation process for foreign
3 colleges and the assertion that this move is strongly
4 opposed by the veterinary community. I have been a
5 member of accreditation site visits before in
6 colleges. It is my observation that COE
7 accreditation is considered the gold standard by much
8 of the international veterinary education community.

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

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

22 CHAIRMAN PHILLIPS: Thank you very much.

1 Committee members, questions for this
2 speaker?

3 Thank you for joining us.

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

6 MR. KAY: Happy Holidays.

7 CHAIRMAN PHILLIPS: Thank you and welcome.

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

15 I have three points. One is the documents
16 that are required for an accrediting agency and the
17 members of that agency actually understand what
18 accreditation is. The most important document, of
19 course, is college accreditation in the United
20 States, the Department of Education's regulations,
21 and its accompanying document, which I fortunately
22 received from the Department of the guidelines for

1 petition reviews and compliance reports.

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

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

21 Why then did the Council on Education
22 continue to use reasonable assurance and grant

1 letters of reasonable assurance to two new veterinary
2 schools, which has the unfortunate consequence of
3 extending or possibly extending the amount of time
4 these two new veterinary schools can actually remain
5 pre-accredited.

6 Western University has come up by word or
7 by deed for several years. I'm very familiar with
8 the place in the sense that I've studied it. I was
9 actually offered a job, which I did not take.
10 Western University was supposed to be -- I guess all
11 schools are supposed to be pre-accredited for no more
12 than five years.

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

1 are reasonable.

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

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

6 MR. KAY: Yes, ma'am.

7 The Council members cannot do their job
8 without the documents.

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

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

16 MR. KAY: certainly.

17 CHAIRMAN PHILLIPS: Committee, questions
18 for this speaker?

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

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

22 CHAIRMAN PHILLIPS: Our next speaker

1 scheduled is Deborah Kochevar, with Michael Lairmore
2 on deck.

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

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

19 The first is that I feel strongly that the
20 Council on Education has wide professional acceptance
21 and this is based on my broad experience working with
22 educators and practitioners in multiple states and

1 regions for over 20 years. I interact with numerous
2 practitioners each year at national conferences and
3 alumni events and review data collected from employer
4 surveys.

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

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

22 The second point I'd like to highlight is

1 that the Council on Education has developed and
2 applied standards that have undeniably raised the bar
3 for veterinary educators and assured student
4 achievement. And example of this is the trajectory
5 over the past 10 to 15 years with regard to outcomes
6 assessment. I had the experience of serving as chair
7 of Council on Education during the early years of
8 implementation of this standard. As with many
9 changes, there were questions and some concerns as to
10 why these new requirements were being instituted.

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

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

21 My third and final point, the Council on
22 Education has solicited and received regular input on

1 standards from educators and has been responsive to
2 the changing needs of the profession. The deans of
3 accredited veterinary institutions receive requests
4 for input at predictable and frequent intervals and
5 are free to gather input from their school and local
6 practitioners regarding proposed standard changes.
7 This process has been used to good advantage to
8 strengthen Standard 10, research, to provide needed
9 flexibility around the changing nature of libraries
10 and information resources, Standard 5; and to assure
11 day one clinical competencies, Standards 9,
12 curriculum, and 11, outcomes. This is just to name a
13 few.

14 In addition, and you've heard this already
15 this morning, recent changes instituted by the
16 Council on Education has demonstrated to me and to
17 others that the Council is responsive and leading
18 positive growth in veterinary education. Over the
19 past two years, we have seen an appropriate shift in
20 composition of the Council and the way members are
21 selected, separation of Council members for site
22 visitors, and modification and improvement of the

1 evaluation rubric. These are all positive steps.
2 They align the veterinary model more fully with the
3 medical accreditation model and assure continued
4 excellence in veterinary medicine.

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

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

12 CHAIRMAN PHILLIPS: Thank you.

13 Committee members, any questions for this
14 speaker?

15 Thank you for joining us.

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

18 Greetings and welcome.

19 DR. LAIRMORE: Good morning. My name is
20 Michael Lairmore. I have the privilege of serving as
21 Dean and Distinguished Professor at the University of
22 California, Davis School of Veterinary Medicine.

1 I received my DVM degree from the
2 University of Missouri, practiced two years as a
3 dairy practitioner and then earned a Ph.D. from
4 Colorado State University before a post-doctoral
5 stint at the Centers for Disease Control. I'm board
6 certified in veterinary pathology and veterinary
7 microbiology. I'm a fellow of the Triple AS American
8 Academy of Microbiology and one of only 20
9 veterinarians elected to the Institute of Medicine of
10 the National Academy of Science.

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

19 I am in strong support of the Council of
20 Education's continued recognition to serve as the
21 accrediting organization of educational institutions
22 to train veterinarians. My position has been made

1 known to my faculty and leadership of my school,
2 which broadly supports my decision.

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

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

20 Having been through this process at Ohio
21 State University as well as University of California
22 Davis, I've experienced the review process and am

1 convinced that it is extremely thorough,
2 comprehensive, and judicially applied. And as I
3 mentioned, as an elected member of the Institute of
4 Medicine of the National Academy, I'd like to comment
5 specifically about important changes in Standard 10
6 regarding research.

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

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

22 To conclude, I support the COE and the

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

5 CHAIRMAN PHILLIPS: Thank you for joining
6 us.

7 Committee members, any questions for this
8 speaker?

9 Thank you again.

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

12 Greetings. Thank you for joining us.

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

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

19 I was a companion animal practitioner for
20 30 years, an executive in a major veterinary
21 corporation for 10 years and the project manager for
22 a national consortium over multiple years to improve

1 veterinary education. I've also been an AVMA leader
2 for almost 30 years, and 20 years ago I was elected
3 as the first female president of the AVMA; yet, today
4 I find myself in the very uncomfortable position of
5 criticizing how the agency conducts its accrediting
6 activities.

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

15 The Committee's concerns regarding
16 regulation 602.13 are acceptance among educators and
17 practitioners are fully warranted. At no time during
18 my service on the agency was there ever any agenda
19 item, discussion, or any effort to reach out to the
20 13 veterinarians who testified to you in 2012.
21 Indeed, the agency's chair and support staff
22 repeatedly stated that these 13 people didn't know

1 what they were talking about and were just trying to
2 make trouble.

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

9 Number two, in marked contrast to the
10 agency's claim that the new site team visitor team
11 receive multiple days of in depth training, the
12 training that was provided to me and others who were
13 elected in 2012 actually consisted of watching a
14 40-minute video on our own and less than one hour of
15 in-person orientation.

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

20 Third, and that might be and should be
21 most troubling to you, agency members have inadequate
22 time to review material between meetings. While I

1 served on the agency, I pleaded repeatedly for agenda
2 items to be sent as soon as they were available to
3 allow for careful study. Instead, the time we had to
4 review materials before we were expected to vote on
5 them became shorter and shorter.

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

10 It is painful for me to speak in
11 opposition to the professional association that I
12 have served with dedication and commitment for almost
13 30 years; however, I believe I have the
14 responsibility to inform NACIQI the dysfunctional
15 ways of the agency that I have experienced. The
16 disregard for USDE criteria, the inconsistent
17 enforcement of standards, and the rampant conflict of
18 interest that exists today will persist unless NACIQI
19 suspends regulation recognition until the agency is
20 autonomous and completely independent from the AVMA.

21 May I close?

22 CHAIRMAN PHILLIPS: Please.

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

10 CHAIRMAN PHILLIPS: Thank you very much.

11 Committee members, questions for this
12 speaker. Jill Derby.

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

17 CHAIRMAN PHILLIPS: Absolutely.

18 DR. DERBY: Thank you.

19 CHAIRMAN PHILLIPS: Anne Neal.

20 MS. NEAL: A quick question, we've heard
21 from two people today who, I think, by your own
22 definition have been expelled from the body, which is

1 hard to do, at least my experience. I'm just
2 curious. Are you comfortable in saying why you were
3 expelled from the body?

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

19 For speaking out in front of the AVMA
20 House of Delegates, I was removed for perceived
21 conflict of interest. At no time was I ever
22 intending to not approve -- to not believe that the

1 education provided in foreign veterinary schools is
2 fine. I don't know that. I've never been on a site
3 visit. But I know that when I spoke against it I was
4 dismissed.

5 CHAIRMAN PHILLIPS: Further questions for
6 this speaker.

7 Thank you for joining us.

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

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

12 Welcome.

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

21 I have a nonprofit organization, and
22 created educational programs to fill a gap that I

1 encountered when I first graduated, through no fault
2 of the profession, but because this was an emerging
3 specialty field. And thanks to my wonderful
4 education at Tufts and the alliance they had in human
5 medicine I did a three-year fellowship in human
6 medicine, did the research, and then transferred
7 those methods over to veterinary sports medicine to
8 tremendous success worldwide. So, I felt an
9 obligation to, in turn, offer that education to
10 others, which I've done for 20 years.

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

21 And imagine yourself feeling confident and
22 reassured by the fact that you've placed your trust

1 and confidence in a doctor who is a world recognized
2 authority in this specialty field. Now, imagine
3 finding out that those certificates are a fraud and
4 that the doctor who placed them on the wall for you
5 to see and to advertise their expertise never
6 undertook any post-doctoral training, never sat for
7 an examination, and never was required to demonstrate
8 their proficiency in that medical specialty and that
9 the certificate was, in fact, bought by your doctor
10 for \$500.

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

19 If you can imagine that, then you can
20 imagine how I felt when I, as a veterinarian,
21 following my three-year post-doctoral fellowship and
22 years of research and expensive specialized clinical

1 practice attempted to form a new specialty in
2 veterinary sports medicine and rehabilitation and
3 found out that the AVMA had knowledge of such
4 activities by its members and recognized boards. And
5 not only knew of it, but openly and unapologetically
6 condoned and participated in the practice.

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

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

21 DR. LYONS: -- for qualifications as
22 experts. Based upon my experience, I would strongly

1 support the creation of a fully independent
2 organization to oversee the accrediting of veterinary
3 schools and related organizations and institutions,
4 the recognition of veterinary specialty boards and
5 the credentialing of specialists, one that is free
6 from the abuses, unfettered politics, and conflict of
7 interest that pervade the accreditation practices of
8 the AVMA. Thank you very much.

9 CHAIRMAN PHILLIPS: Thank you.

10 Committee members, questions for this
11 speaker?

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

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

21 CHAIRMAN PHILLIPS: Thank you.

22 DR. LYONS: You're welcome.

1 CHAIRMAN PHILLIPS: Thank you very much
2 for your comments to us.

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

5 CHAIRMAN PHILLIPS: You're welcome to.

6 DR. LYONS: Okay. Thank you.

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

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

12 CHAIRMAN PHILLIPS: Welcome.

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

19 At Penn, I worked at Penn to move clinical
20 education towards the high standards set by the human
21 medical profession. My colleagues and I created the
22 first spectrum of authentic veterinary clinical

1 specialties, established the first NIH-funded
2 clinical research and training programs, and
3 integrated teaching research and patient care.

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

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

21 There has never been a greater need for
22 well educated veterinarians and veterinary

1 scientists. Veterinary scientist like those who
2 discovered the Ebola virus, developed the first
3 successful vaccine for cancer, eliminated cattle
4 plague from the face of the earth, and established
5 the field of transgenesis and were recipients of a
6 Nobel Prize and a National Medal of Science.

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

17 The AVMA's argument that the COE must
18 apply its standards inconsistently because veterinary
19 schools have different missions is specious.
20 Application of all the standards to every school is
21 necessary. We cannot produce well educated
22 practitioners nor veterinarian scientists in schools

1 characterized by low-quality science, absence of
2 research, and poorly monitored clinical programs
3 outsourced to private practices.

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

9 CHAIRMAN PHILLIPS: Thank you very much.

10 Committee members, questions for this
11 speaker? John Etchemendy.

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

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

17 DR. ETCHEMENDY: We asked an earlier
18 speaker about his evidence for the inadequacy for the
19 graduates for some of these institutions, and I'd
20 like to just repeat that question to you. Do you
21 have evidence that they're not doing a good job
22 educating?

1 DR. MARSHAK: Let me say first that it's
2 almost impossible to know what's out there in terms
3 of the students, the entry level vets that go out and
4 get a job somewhere. Nobody has a method of
5 evaluating these people. If they have a DVM, all the
6 public knows is that, well, you know they're assured
7 that these people are able to do the job, to treat my
8 animal well because they have been very well educated
9 and they have a deep education.

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

20 First of all, the first two years are
21 spent by the students studying -- they're given 64
22 cases over a period of two years, and they have a

1 self-learning -- this is a self-learning method where
2 six students sit in a room. They have this case and
3 they look at it and they discuss it. What they're
4 supposed to get out of this are their basic science
5 knowledge. They're supposed to be able to extract
6 and internalize out of these six cases, and these
7 discussions, and they're not allowed to ask
8 questions. They have to do it on their own. They
9 are supposed to extract and internalize all the basic
10 science disciplines, you know, from molecular biology
11 down to etiology -- anything you want to name -- and
12 that's impossible, and they don't do it.

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

1 that.

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

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

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

14 DR. ETCHEMENDY: Quick answer.

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

20 Secondly, it seems to me that any exam
21 where everybody gets 95 or more percent pass rate on
22 the first go has to have something wrong with it, or

1 you have to question that type of an exam. It isn't
2 a rigorous examine. The other thing about it is it
3 does not question the basic science knowledge of
4 students. It's a totally clinical exam. Only 5
5 percent of the questions are changed every year, and
6 there are lots of places -- they can Google
7 veterinary information network is giving courses on
8 how to pass the exam, so that is really the aim of
9 schools like Western is to get the students so they
10 can get licenses and pass the NAVLI, and then they
11 say this is evidence of the school's quality. It has
12 absolutely nothing to do with the school's quality.

13 CHAIRMAN PHILLIPS: Further questions for
14 this speaker?

15 Thank you very much for joining us.

16 DR. MARSHAK: Thank you.

17 CHAIRMAN PHILLIPS: I'm just going to a
18 quick time check as we change speakers here. Our
19 next up is Eden Myers, with Phillip Nelson on deck.

20 We were scheduled for a break seven
21 minutes ago, and I know that there is some need for
22 people to check out. I'm going to see if we can run

1 through the rest of our speakers and then need to
2 take a pause at that point and come back after a
3 break to complete the remaining parts, which will
4 include an opportunity for the agency to respond to
5 the commenters, the Department to respond to the
6 agency and the commenters, and our motion discussion
7 and vote. So, we've got a few more steps to go in
8 this process.

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

12 MS. MYERS: Absolutely.

13 CHAIRMAN PHILLIPS: Okay.

14 MS. MYERS: Thank you all. I'm Eden
15 Myers, and I'm just a vet. I am not the dean of
16 anything. I'm not the chair of anything. I'm not
17 boarded. I'm a general practitioner. I'm the only
18 general practitioner you're going to hear from today.
19 I am also a taxpayer, and I'm here with that hat on.

20 I'm a student loan holder. I still
21 haven't paid off my student loans. I'm a parent of
22 two kids that are going to be in college a lot sooner

1 and facing student loans than I really want to think
2 about. I'm also one of the volunteers that organized
3 the web's commission forum that resulted in those 900
4 comments.

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

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

21 You've heard about Western and the
22 distributive model. When Western came up for

1 accreditation, four times they came before the
2 agency. Four times they did not meet the standard.
3 Four times the agency declined to accredit them. And
4 that was right and appropriate based on their policy
5 and procedures manual. The school sued, but they did
6 not sue the accreditor. They sued the trade
7 association. Okay, so the trade association, because
8 it has a different role has a different legal
9 exposure was at risk for a negative judgment. They
10 settled the suit and the settlement of that suit was
11 that the association ordered the agency to overturn
12 its own appropriate decision and grant accreditation
13 to a school that did not meet the standards and that
14 situation will continue to exist until the agency is
15 separate and autonomous from the association.

16 As long as it is housed within the
17 association, it also -- I mean it's a line item in a
18 budget. It has insufficient resources to do the job.
19 Why when a school that wanted to implement a model
20 that has been successfully used in human clinical
21 training for decades, when a school wanted to bring
22 that veterinary medicine why was our accreditor

1 totally unprepared to provide that school with
2 sufficient guidance? Because it's a line item in a
3 budget it needs to be its own entity.

4 And what I put in my written comments and
5 what I would advocate is that we find some way to
6 work in a parallel track to find an internal fix so
7 that the trade association can do its job because we
8 want it too. We want our trade association back.
9 The AVMA is really, really good at some really,
10 really important things and we want to support them.

11 The COE, I mean the people who are -- may
12 I?

13 CHAIRMAN PHILLIPS: Please finish.

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

1 association.

2 CHAIRMAN PHILLIPS: Thank you very much.

3 Committee member questions for this
4 speaker?

5 Thank you very much for joining us.

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

8 Thank you for joining us.

9 DR. NELSON: Thank you. Good morning. My
10 name is Phillip Nelson. I'm the Dean of Veterinary
11 Medicine at Western University of Health Sciences.
12 From here on, I will refer to it as Western U.

13 I have over 30 years experience in higher
14 education, and I'm very familiar with the
15 accreditation process, having been involved in
16 accreditation at three different institutions, either
17 as a faculty member or as an administrator
18 responsible for accreditation reports.

19 I have served on the faculty of
20 Mississippi State University during its early years
21 of establishment as an assistant professor, and
22 approximately a decade later as Associate Dean for

1 Academic Affairs. Additionally, I have served on the
2 AVMA Educational Commission for Foreign Veterinary
3 Graduates for six years, serving as chair during my
4 last year of service.

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

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

18 My comments are intended as a response to
19 the problems cited on the staff report on page 2,
20 which specifically stated 'The agency must ensure it
21 has and applies a compliant student achievement
22 standard and the specific third-party comments that

1 asserts 'standards are vague, inconsistently
2 enforced, and deliberately weakened to justify the
3 accreditation of substandard schools."

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

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

20 Once the charter class arrived in 2004,
21 the COE moved in. The COE had a nearly constant
22 presence on our campus, the liaison committee or a

1 subcommittee visited the campus every year from 2004
2 through 2008 for either a comprehensive, two of them,
3 or a focused, three of them, evaluations.

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

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

14 DR. NELSON: I'm sorry.

15 CHAIRMAN PHILLIPS: If you could wrap up.

16 DR. NELSON: Okay.

17 We've not always been in agreement. It
18 has been an iterative process; however, throughout
19 this process the COE has maintained a consistent and
20 professional commitment to interpreting our planned
21 activities in light of the standards. The COE was
22 able to effectively communicate that the college was

1 expected to carefully plan, closely supervise, and
2 regularly monitor student experiences throughout the
3 curriculum.

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

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

13 CHAIRMAN PHILLIPS: Thank you very much.

14 Questions for this speaker by Committee
15 members? Anne Neal.

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

1 Could you respond to that, please?

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

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

15 DR. NELSON: I'm sorry?

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

20 DR. NELSON: Okay, I think you're asking
21 two separate issues. One is about the training of
22 our students and clinical practices and the other is

1 an arrangement that we had -- that the college had
2 with Banfield Pet Hospital in running a hospital on
3 our campus and being associated with some of the
4 training of our students in some of their practices.

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

15 As far as the training is concerned, our
16 clinical training is designed to immerse our students
17 in a real work environment. And so our distributive
18 model is not much different than the distributive
19 model that's used in human medicine, except that I
20 think that we provide a lot more monitoring and
21 supervision of our students while they are in those
22 real work environments.

1 We actually inchoate certain adult
2 learning behaviors in our students in the first two
3 years of the curriculum, using our problem-based
4 learning curriculum where they are urged and trained
5 to independently identify those areas of ignorance
6 when they're presented with a problem and learn how
7 to use resources, particularly primary literature in
8 order to identify the latest advances in solving
9 those problems. And we believe they have the skills
10 to apply that in the clinical arena in those
11 practices. And so they go out to those practices in
12 order to be exposed to the real work environment, and
13 it also allows us to put them into some of the best
14 practices in the world. And we're fortunate to be
15 located in an area that has some of the best
16 practices in the world.

17 CHAIRMAN PHILLIPS: Thank you. Simon
18 Boehme.

19 MR. BOEHME: Simon. Thank you for joining
20 us.

21 I was wondering if you could quickly share
22 with NACIQI some of the student feedback that you get

1 in terms of this distributive model. Is it positive,
2 is it negative, and how those students feel prepared
3 to get a job after they graduate from Western?

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

11 MR. BOEHME: Thank you.

12 CHAIRMAN PHILLIPS: Further questions from
13 the Committee?

14 Thank you very much for joining us.

15 DR. NELSON: Thank you.

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

18 Greetings and welcome.

19 DR. KLAUSER: I don't write very clearly.
20 It's Dr. Jeff Klauser. I'm the chief medical officer
21 of Banfield Pet Hospital that you've heard a little
22 about.

1 Before that, I spent 33 years in academia.
2 I was a faculty member, department chair, and dean of
3 the College of Veterinary Medicine at the University
4 of Minnesota. I was dean for 10 years.

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

11 The last five years I have been the chief
12 medical officer at Banford. Banford is the largest
13 veterinary hospital in the United States, probably in
14 the world. We employ over 3,000 veterinarians. We
15 have 7,000 veterinary technicians and more than
16 15,000 people who work for Banfield across the United
17 States. It is a general practice. We do pretty much
18 what ever general practice does in the United States,
19 except we do it on a much larger scale.

20 My role as chief medical officer is to
21 ensure the quality of the veterinary work that's done
22 in every one of those 900 hospitals, and ensure the

1 quality of our 3,000 veterinarians, and that's where
2 I spend my 13 to 14 hours every day making that
3 happen. So, I'm very knowledgeable about what's
4 produced by the colleges of veterinary medicine in
5 the United States. And I can tell you we look very
6 carefully at the veterinarians we select. We measure
7 everything that can be measured, everything from
8 state board complaints to how many anesthetic tests
9 they have to how well they're protecting their pets
10 from heart murmur disease.

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

22 I believe the COE has done an absolutely

1 outstanding job in producing this quality graduate,
2 and I very strongly, and so does my company, and so
3 does the Oregon Veterinary Medical Association, we
4 support continuing the COE as the accreditor of
5 colleges of veterinary medicine. Thank you.

6 CHAIRMAN PHILLIPS: Thank you very much.

7 Questions for this speaker?

8 Thank you very much for joining us.

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

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

15 CHAIRMAN PHILLIPS: We understand that.

16 MR. WALKER: It's very distorted.

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

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

1 with you.

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

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

22 From the current USDE's staff report,

1 Section 602.13, the agency is to demonstrate the
2 agency's wide acceptance among practitioners and
3 educators. Indeed, the process or system is broken.
4 Perhaps the names are changed, but the problems stay
5 the same.

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

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

22 The agency responded by saying that there

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

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

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

22 Wide acceptance of the agency process of

1 accreditation cannot be had where there is concern
2 about whether the practitioner/educator can trust the
3 process. Thank you.

4 CHAIRMAN PHILLIPS: Thank you very much.

5 Any comments or questions from the
6 Committee members?

7 Thank you for joining us.

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

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

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

21 Maryland and West Virginia also my
22 colleagues there support the COE as well, and so I

1 think that when we look at the number of
2 veterinarians in that one block it's pretty massive,
3 and I know we're not alone in our support.

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

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

19 But I think to scrap a program out of
20 fears of a possible outcome versus looking at the
21 realities on the ground would be harmful to our
22 profession. So, I would respectfully ask that you

1 continue to fully support the Council on Education.

2 Thank you.

3 CHAIRMAN PHILLIPS: Thank you very much.

4 Questions of this speaker from Committee
5 members?

6 Thank you for joining us.

7 DR. NEWMAN: Thank you.

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

18 (Whereupon, a recess was taken.)

19 CHAIRMAN PHILLIPS: We left off with the
20 close of our third-party oral commenters in the
21 matter of the American Veterinary Medical Association
22 and Council on Education. We very much appreciate

1 the opportunity to hear from all of the people who
2 came to comment, and appreciate their time and
3 thoughtfulness in giving us their perspective.

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

8 Welcome back.

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

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

18 CHAIRMAN PHILLIPS: Yes. I invite the
19 Committee to address any questions they would have to
20 the agency. I'm also going to give the staff an
21 opportunity to comment to all of this, so just for
22 the agency for this time.

1 We'll start with Jill Derby.

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

19 DR. DERKSEN: Right. So, to start with, I
20 share your enthusiasm for the spirit of debate and so
21 does the Council. So, the Council is a relatively
22 large body, and we spend a lot of time debating

1 policy issues as well as specific accreditation
2 issues. And so, there's a great diversity of opinion
3 expressed at the Council, and those opinions are very
4 welcomed.

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

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

21 And certainly, there is a great deal of
22 deliberation about something like this. This is not

1 something we do lightly, but the Council, as a whole,
2 votes on these matters.

3 CHAIRMAN PHILLIPS: Arthur Rothkopf.

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

14 DR. DERKSEN: On the first one, was before
15 my time. My understanding is that it was a conflict
16 of interest issue in the first case, but I can't
17 personally tell you that. And the second one I was
18 on the Council, in fact, on the executive committee
19 of the Council. And so, yes, I can categorically
20 tell you that there was a violation -- according to
21 the Council there was a violation of the conflict of
22 interest policy sufficiently severe violation that

1 expulsion was recommended by vote; and it was a
2 unanimous vote.

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

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

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

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

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

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

22 MS. HONG: This is the first I'm hearing

1 about it.

2 DR. ROTHKOPF: Do you know anything about
3 these dismissals and was that a subject that you
4 looked at, at all?

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

7 CHAIRMAN PHILLIPS: Federico.

8 DR. ZARAGOZA: We also heard as part of
9 the testimony that reviewers often got very limited
10 training. I think the statement was made that the
11 45-minute video, but I recall your application spoke
12 of a two and a half day process. Can you provide
13 more information on that subject, please?

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

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

3 CHAIRMAN PHILLIPS: John Etchemendy.

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

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

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

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

22 And as the dean talked about, certain

1 elements of their plans to meet the standards were
2 accepted over a long period of time. And one of the
3 things that the Council does is they form a working
4 group, a subset, a subcommittee of the Council to
5 deal with new schools and to go back and forth so
6 they have access to opinion of the Council members,
7 you know, at will, basically. And some of the other
8 presenters were on the Council at the time were on
9 that group.

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

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

1 that is not what happened. That's just absolutely
2 not what happened.

3 CHAIRMAN PHILLIPS: Bobbi Derlin.

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

11 DR. DERKSEN: So, the veterinary
12 profession is quite small relative to many others,
13 and as you can tell there are only 28 veterinary
14 schools accredited in the U.S., and so that makes it
15 important that the process is affordable in the
16 context of accreditation. And so, the AVMA provides
17 a great deal of support to the Council from a
18 financial perspective as well as a staff perspective,
19 and so there are, you know, building staff, finances,
20 all of those things. So, it seems very appropriate
21 to have a council that is supported by the AVMA as it
22 is.

1 The other thing I want to mention -- and
2 the third-party commenters have commented on this
3 also -- is that in my time on the Council, five and a
4 half years, I've felt absolutely no pressure from the
5 organization to do anything that the Council wasn't
6 willing to do or any policies that it needed to make.
7 So, we set our own bylaws. We have our own rules.
8 We have our own P&P. We make decisions, and there is
9 simply no insolence by the AVMA on the accreditation
10 process.

11 Someone else might want to add something.

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

22 And so, as a result of that, they went and

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

11 DR. GRANSTROM: If I could add, prior to
12 that, they were elected by the AVMA House of
13 Delegates, and there were a number of people that
14 expressed concerns that that process was too
15 political. There wasn't enough scrutiny of
16 credentials, that kind of thing. So, that was
17 something that, in a sense, the bylaws are not
18 controlled -- the AVMA bylaws are not controlled by
19 the Council. They're controlled by the House of
20 Delegates. That was something that had to be done by
21 the AVMA, not the Council on Education, and they did
22 it willingly.

1 CHAIRMAN PHILLIPS: Jill Derby.

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

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

7 CHAIRMAN PHILLIPS: Arthur Rothkopf.

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

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

1 time.

2 DR. ROTHKOPF: Thank you.

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

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

16 CHAIRMAN PHILLIPS: Anne Neal.

17 MS. NEAL: Just a question, I mean, as I
18 understand it we're not really talking to you about,
19 as Title IV gatekeepers, we're really talking about
20 other gate keeping. And I'm just curious because
21 we've been hearing a lot of negative things about
22 you. Have the regionals where these schools are

1 located have they been hearing complaints or talking
2 to you about it, or raising concerns about quality,
3 or where have they played in all of this?

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

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

15 DR. HONG: Sure. As Anne just pointed
16 out, this agency is not a Title IV gatekeeper, and
17 therefore is not subject to separate and independent
18 requirements. However, in 2012, one of the issues
19 that we cited the agency on under conflict of
20 interest was the fact that they had this practice of
21 sending out Council members as site visitors.
22 Basically, they were the same people making the

1 decisions and evaluating the programs.

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

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

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

22 And secondarily to that is the use of this

1 confidence interval, which it appears it reserves for
2 foreign schools for small samples. Again, it's not
3 clear whether that's employed for domestic programs
4 as well. So, I just wanted to clarify that.

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

16 This rule applies through every college,
17 foreign and domestic. And so, this standard is
18 applied evenly to every school with the possible
19 exception of the schools where there are no students
20 who take the NAVLI. So, there are a few. I don't
21 know how many schools, where there are no students
22 who take the NAVLI.

1 And in those cases we use other measures
2 of outcome assessment to evaluate the quality and the
3 outcomes of the program. But this NAVLI standard, as
4 I just read it, is applied to every school, foreign
5 and domestic.

6 CHAIRMAN PHILLIPS: Thank you for
7 clarifying. John Etchemendy.

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

11 CHAIRMAN PHILLIPS: Absolutely.

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

18 So, what hangs on Department of Education
19 recognition for those accreditation organizations who
20 are not Title IV gatekeepers? And whatever that is
21 why is the independence requirement waived for those
22 organizations that are not gatekeepers? Why aren't

1 all the requirements waived, or why that one? So,
2 something must hang on it, otherwise, I don't think
3 they would be here hoping to be recognized and going
4 through all of this pain.

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

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

13 DR. HONG: Yes, more Stafford loans.

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

18 CHAIRMAN PHILLIPS: If I could ask Herman
19 or Sally to address the larger question of what
20 counts as a Title IV gatekeeper and what doesn't in
21 terms of what you get from it and then whatever you
22 can about the 'But why?' question.

1 MR. BOUNDS: Yes, I can't answer why the
2 statute -- I mean I don't know what went into the
3 statute being developed that way, other than it is.
4 But you also have to keep in mind even though they
5 don't have to -- they're not subject to the total
6 separate and independent criteria, there are
7 criterion that clearly indicate that their bylaws,
8 that the trade association cannot have any influence
9 with accreditation decisions. So, that portion is
10 still there. They have to be able to establish those
11 policies and those can't be influenced, but maybe
12 Sally can address why the statute was written that
13 way. I don't know. She's looking at me like why are
14 you asking that?

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

18 DR. ETCHEMENDY: What about Susan's other
19 question, which is can you clarify exactly what the
20 gatekeeper role is? What are we granting when we
21 grant accreditation to a -- grant recognition to an
22 accreditation organization that is not a gatekeeper?

1 MS. MORGAN: The gatekeeper, the statute
2 sets out two separate categories. It has a purpose
3 for participation under this Act, meaning the Higher
4 Education Act, the federal student aid. And then
5 there's another provision that I guess pertains to
6 this agency for the purpose of participation in other
7 programs administered by the Department of Education
8 or other federal student agencies. So, that's what
9 this one falls under. So, that the general federal
10 financial aid programs, the Stafford loan, the Pell,
11 the campus-based they would be Title IV gatekeepers.

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

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

1 CHAIRMAN PHILLIPS: Art Keiser.

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

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

16 Up until that time, most of the agencies,
17 like COE, was part of this other association of
18 colleges, Southern Association of Schools, and it
19 evolved where there were then four commissions and
20 then they all broke away, at least the COE broke away
21 from the trade association, which was the Southern
22 Association, so it's evolved.

1 CHAIRMAN PHILLIPS: Jennifer, will you try
2 to answer something?

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

9 CHAIRMAN PHILLIPS: Art Keiser.

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

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

1 analysis.

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

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

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

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

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

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

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

20 DR. HONG: Okay.

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

22 CHAIRMAN PHILLIPS: Other questions of the

1 staff or of the agency? Bill Pepicello.

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

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

19 I think there is a disconnect amongst some
20 of the folks that we heard testify today as to some
21 of the basic issues surrounding accreditation and how
22 it works, and the peer review process. And I think

1 in many cases, and I'm not pointing a finger at any
2 particular constituency here, it might be incumbent
3 upon the agency to help educate those constituencies
4 because I think the better understanding might lead
5 to a more collaborative and collegial atmosphere
6 here.

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

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

20 CHAIRMAN PHILLIPS: Anne Neal.

21 MS. NEAL: Just following up on what
22 Arthur was asking, and I think we've had the issue of

1 a recusal regarding a different viewpoint come up
2 here, which also came up with NACIQI earlier this
3 morning. And then, as I hear it, we also are having
4 this issue about how would it be possible to raise
5 some concerns. For instance, several people who've
6 been removed from the board if they hadn't mentioned
7 it to us here today -- Jennifer had not heard about
8 it otherwise -- is there a process where complaints
9 can be registered in the course of the period and
10 then transmitted to us as NACIQI members from the
11 staff so that we would be apprised of these kinds of
12 things that otherwise seem to have by serendipity
13 been revealed in the course of the third-party
14 comments?

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

21 MS. NEAL: And do you advise us of your
22 outcomes on those?

1 DR. HONG: Yes, I believe we have. I
2 think in many of the previous reviews in the petition
3 they're incorporated as complaints. For example, in
4 the respective sections I know we've done reviews of
5 agencies where a complaint has come in and we've
6 incorporated -- if it yielded in a noncompliance,
7 we've put that in the respective section of the
8 analysis, so yes.

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

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

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

19 DR. DERKSEN: No. Most people know me as
20 a very opinionated person, and I have very strong
21 views on the Council, and when I came in five and a
22 half years ago I expressed those. And I wasn't

1 always in the majority. In fact, commonly, I was
2 not, but I felt fully respected when I expressed my
3 comments and many of these things were handled like
4 they should, through motions and votes and those
5 sorts of things.

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

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

20 CHAIRMAN PHILLIPS: Jill Derby.

21 DR. DERBY: Just quickly, I would like to
22 in the follow up, hear evidence of you reaching out

1 to your critics as well.

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

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

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

1 these opposing viewpoints?

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

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

18 CHAIRMAN PHILLIPS: Question, comment, or
19 motion?

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

22 CHAIRMAN PHILLIPS: One moment, please.

1 Thank you very much for joining us. I'll
2 invite you to step back, and we'll finish our
3 deliberations.

4 (Pause.)

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

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

20 Regarding the new finding under 602.13,
21 continue the agency's recognition and require the
22 agency to come into compliance within 12 months and

1 submit a compliance report that demonstrates the
2 agency's compliance with wide acceptance among
3 practitioners under 602.13.

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

6 DR. PEPICELLO: Second, Bill Pepicello.

7 CHAIRMAN PHILLIPS: Thank you. Further
8 discussion?

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

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

1 CHAIRMAN PHILLIPS: Art Rothkopf.

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

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

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

20 CHAIRMAN PHILLIPS: Further discussion?

21 Yes.

22 DR. PEPICELLO: Yes, this is Bill

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

15 CHAIRMAN PHILLIPS: John.

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

22 CHAIRMAN PHILLIPS: Further discussion?

1 Federico, may I assume that the addition
2 of 602.15 is an amendment.

3 DR. ZARAGOZA: Yes.

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

6 All right, the motion, I believe is up.
7 If you want to take one last review of it.

8 (Pause.)

9 CHAIRMAN PHILLIPS: Those in favor signal
10 by saying aye.

11 (Chorus of ayes.)

12 CHAIRMAN PHILLIPS: Those opposed?

13 (No response.)

14 CHAIRMAN PHILLIPS: Those abstaining?

15 (No response.)

16 CHAIRMAN PHILLIPS: Okay, that motion
17 passes, and that completes the review of the American
18 Veterinary Medical Association.

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22

1 Thank you very much.

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

8 (Whereupon, a recess was taken.)

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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

1 recommendations to simplify, considering common
2 language, common definitions, simplifications of
3 structure, zero-base study of regulation, possible
4 alignments across the triad, ways to reduce the data
5 burden.

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

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

20 His subcommittee worked on developing
21 recommendations to enhance nuance, and the
22 accreditation recognition process, such things as

1 considering the risk-based accreditation or variable
2 expedited terms/conditions of reviews of institutions
3 and of agencies, and also of the role of NACIQI,
4 developing recommendations about the role and
5 function of this body, including our role as a policy
6 advisory body, possible assistance in addressing the
7 triad and relationship to the Department staff and
8 expertise, again with the same crosscutting themes of
9 access, innovation, affordability, and quality.

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

15 For those of you in the audience, I have
16 asked a copy of this to be available to you. It
17 wasn't available before today. This is actually
18 coming out quite recently. And I wanted to begin our
19 process today with just a caveat that this is the
20 first opportunity for many of the Committee to review
21 the full set of recommendations. It is absolutely
22 the first opportunity for us to have a discussion as

1 a full committee of the topics that have been chewed
2 on in the subcommittees over the past several months.

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

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

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

22 That said, I want to also note that

1 because of various travel schedules we will fall
2 below a quorum quite quickly, in probably about 20
3 minutes, and realize that we don't have a full
4 complement of our membership even to begin with. So,
5 recognizing that this is a very constrained
6 conversation, for the time being, but at least an
7 opportunity to get it started.

8 Yes, Jill Derby.

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

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

19 DR. DERBY: Can I do an addendum to that?
20 Just that, you know, my experience in terms of being
21 on a subcommittee was not entirely satisfying in some
22 ways, just trying to get everybody on the call, which

1 often didn't happen and then just people's busy
2 schedule and so on and so forth.

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

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

17 So, yes, I expect that the June meeting
18 would be a full complement meeting of time. I do not
19 expect us to have an opportunity to have face-to-face
20 interactions, physical, live, real time face-to-face
21 interactions before then, but we have been talking
22 about putting together an opportunity to interact in

1 a conference call or a webinar. That's always a
2 little clunkier. But as we go through this
3 conversation, we may be able to see what's
4 appropriate for our next step. Arthur -- Art.
5 Sorry.

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

14 CHAIRMAN PHILLIPS: Great. Jill?

15 DR. DERBY: One more comment --

16 CHAIRMAN PHILLIPS: Yes.

17 DR. DERBY: -- if you'll allow me. I was
18 quite intrigued with what the Secretary said earlier
19 today about indicating interest in greater input,
20 dialogue between us, and so on and so forth, sort of
21 opened the door that to me invited more conversation
22 and more discussion, maybe expansion on some issues

1 that we really weren't able to get to as much as I
2 think we would want to weigh in on, so I just want to
3 put that into the conversation.

4 CHAIRMAN PHILLIPS: Thank you. Arthur?

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

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

18 I think that will increase the likelihood
19 of those recommendations being part of the final
20 legislation, but I think considering the new
21 personalities involved and the new makeup of the
22 Congress, I think things may move more quickly than

1 people expect.

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

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

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

20 With that in mind, I'd like to start with
21 Task 2, which is the nuance task, and this was to
22 consider how to enhance nuance in the accreditation

1 recognition process. There are, I believe, five
2 sub-recommendations. And Bill/Frank, I will turn
3 over the table to you.

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

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

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

21 We believe that specific standards-setting
22 authority within those mission-essential areas lies

1 expressly within the accrediting agency. So, that
2 was the overarching issue that drove the set of
3 related recommendations here, and I just quickly go
4 through them.

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

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

22 There's an exemplary list. It's neither

1 exhaustive nor anything we would want to put in
2 stone, but these are some of the sorts of things that
3 we thought might be specifically looked at. And as
4 you see right below, the emphasis here is on what the
5 accrediting agencies expectations should be and the
6 list will not include some things that we might not
7 think are appropriate. And things that might come up
8 for discussion in that regard would be some areas of
9 governance and social policies, for instance. And
10 again, that's not an exhaustive list, but merely
11 exemplary.

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

20 2.4 is to establish the recognition review
21 process to differentiate among accrediting agencies
22 based on risk or need, something we heard earlier

1 today, with some institutions identified as requiring
2 greater levels of attention and others lesser.

3 And then finally, establish that
4 recognition and recommendation decisions include
5 different gradations of approval of accrediting
6 agencies, and different recommendations as the amount
7 of time in which an agency may come into compliance.
8 So, all of this is sort of move away from what we
9 have today, which is a one-size-fits-all, and
10 allowing greater flexibility that recognizes that
11 institutions have much more variability now than in
12 the past.

13 CHAIRMAN PHILLIPS: Thank you, Bill.

14 We open up for questions and comments.
15 We'll start with John and then I have Roberta.

16 DR. ETCHEMENDY: So, Bill, I'm curious
17 about I guess 2.1 and 2.2. Is that, particularly
18 2.1, is that intended just to say that the staff
19 should be doing what they're doing just as they
20 currently do, but then NACIQI should focus on these
21 important things, or is it to say that some of these
22 less important things should receive less focus, even

1 by the staff, which is what I would want.

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

3 That's exactly correct.

4 CHAIRMAN PHILLIPS: Bobby.

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

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

15 DR. DERLIN: Okay.

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

17 Yes.

18 CHAIRMAN PHILLIPS: Arthur.

19 DR. ROTHKOPF: Yes, Arthur Rothkopf.

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

22 CHAIRMAN PHILLIPS: Please observe the

1 eight-inch rule.

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

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

21 CHAIRMAN PHILLIPS: We have Art and then
22 Anne.

1 DR. KEISER: I'm not sure I understand.
2 Are you saying that accreditors should not look at
3 governance and should not look at the administrative
4 side, only student learning and achievement, or is
5 this just us? I'm trying to understand what you're
6 saying.

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

16 DR. KEISER: That doesn't make --

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

22 I think the idea, Art, is that we need to

1 review things that accrediting agencies are holding
2 the accreditors to, to determine whether some of
3 things might not be relevant currently that we
4 thought were relevant previously.

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

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

16 DR. ROTHKOPF: Well, I find it hard to
17 understand how institution that does not have a
18 strong governance process, that does not have strong
19 administrative process, that does not have fiscal or
20 financial responsibility can have positive student
21 learning outcomes, so I don't think they're mutually
22 exclusive. I think if you wanted to go somewhere it

1 could be that the agencies are not prescriptive as to
2 an institution's mission and process, but they have
3 to make a case for it.

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

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

19 One experience I had was the accreditor
20 was saying, well, they need to change. They should
21 have term limits for members of the board. Well, I
22 personally I don't think that's the business of the

1 accreditor to say whether there's term limits or not.
2 The question is is the governance process working
3 well.

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

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

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

1 CHAIRMAN PHILLIPS: Thank you.

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

12 CHAIRMAN PHILLIPS: Anne.

13 MS. NEAL: Well, I'd like to weigh in with
14 Arthur in this. I mean I think we heard from the
15 Deputy Secretary this morning about the need to focus
16 on rigor and quality, and I think that going forward,
17 as we look at ways to improve the system we need to
18 focus on rigor and quality. And when accrediting
19 bodies are spending more time looking at whether or
20 not the governing board approves or disapproves of
21 the president, they're spending less time looking at
22 educational quality.

1 So, I do believe that it's important for
2 us to zero in on student learning and educational
3 quality as the fundamental role of accreditors. And
4 I think that as we look at the history of American
5 higher education one of its great strengths has been
6 institutional autonomy. And to the extent that we
7 have accrediting bodies, which are largely made up of
8 administrators and faculty second-guessing how boards
9 should operate or how institutions should operate I
10 think that undermines that autonomy, which is really
11 an institutional decision and is frankly separated
12 from the peer review role, which was the initial
13 focus of accreditation to ensure educational quality
14 of our colleges and universities.

15 CHAIRMAN PHILLIPS: Further comment?
16 Bobby?

17 DR. DERBY: I just wanted to ask how
18 critical the "such as" or the "e.g." lists are
19 because I think I heard in the conversation Arthur
20 advocating for if you're going to have a list of what
21 is to be focused on we should have a similar detailed
22 list of what we're not going to focus on.

1 I think the conversation that just
2 occurred is very substantive, but is that, given
3 timing considerations, if you put a period after the
4 word 'outcomes' and did not have the specific listing
5 would the recommendation be furthered or turned into
6 nothing?

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

15 And I think various folks have some ideas
16 about what those specifics might be down the road,
17 but at this point I think if there's going to be a
18 list of things then I think it makes sense to say is
19 there -- a list of things to do is there also a list
20 of things not to do, or to your earlier point, Bobby,
21 is there a whole set of things and some of them apply
22 in some cases and not in others?

1 Are there a list of things then, let's
2 just say, for the sake of argument, governance, that
3 is more important to some institutions that are
4 governed by certain agencies and not to others. And
5 I think that was the spirit of putting that in there.

6 CHAIRMAN PHILLIPS: If I could just make
7 an observation. You know, clearly, there are some
8 viewpoints about what ought to be on what list and
9 how many lists there should be, but I would note that
10 2.2, the action item is that NACIQI is to identify
11 the lists. So, the discussion about how many lists
12 there are and what's on them is a task that we would
13 be directed to do, that our recommendation is to
14 direct us to take up that issue.

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

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

1 CHAIRMAN PHILLIPS: Anne.

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

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

17 CHAIRMAN PHILLIPS: John.

18 DR. ETCHEMENDY: So, I'm all in favor of
19 identifying the essential core elements. I actually
20 do like having examples. I happen not to like the
21 example that Anne just picked out because I think the
22 nationally-normed assessments are -- I think there

1 are very few nationally-normed assessments that have
2 been shown to be effective as a measure, at least for
3 all institutions, for certain institutions be
4 effective as a measurement of actual student learning
5 and student outcomes.

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

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

17 CHAIRMAN PHILLIPS: Pepicello.

18 DR. PEPICELLO: Yes, this is Bill.

19 Yes, I think the point that you're making,
20 and actually Susan made it, is that these lists were
21 here just for demonstration purposes. But what we're
22 really saying is NACIQI needs to go ahead and

1 identify what these items are, whether they're
2 external or internally or the nationally-normed that
3 would be the substantive discussion we'd have going
4 forward.

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

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

20 DR. PEPICELLO: Okay.

21 CHAIRMAN PHILLIPS: Ask Bill to channel
22 Frank again. Thank you.

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

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

18 Further, it's necessary to clarify and
19 better define the role and each step regarding the
20 NACIQI's role going forward and to ask what
21 assessment options best ensure that an adequate level
22 of quality education is offered by the institutions

1 accredited by a recognized accreditor.

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

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

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

20 4.3 establish that in the event of an
21 accrediting agency's appeal of a recommendation,
22 NACIQI, without the Department staff, will respond to

1 the accrediting agency's appeal submittal to the
2 Department.

3 4.4 is to establish that NACIQI and the
4 Education Secretary and other Department officials
5 meet periodically for mutual briefings and
6 discussions, including policy issues such as gainful
7 employment. You see now we're moving into the
8 communications piece of the overview, and then 4.5
9 establish that NACIQI itself timely disseminates its
10 reports to the Department and the appropriate
11 congressional committees. The idea being here is
12 that reports that we generate are seen by Congress
13 and others sooner than two years after they have been
14 completed.

15 CHAIRMAN PHILLIPS: Thank you.

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

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

22 I would say 4.1, but at least 4.2,

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

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

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

18 CHAIRMAN PHILLIPS: Thank you. Further
19 discussion?

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

22 DR. PEPICELLO: We decided Alternative 3

1 was not an option we want to put on the table.

2 CHAIRMAN PHILLIPS: Arthur.

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

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

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

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

21 DR. ROTHKOPF: So, it struck me as though
22 there is a precedent on the books with a committee

1 that does recognition, so if we want to be doing
2 recognition, we ought to be doing it or we ought not
3 to be in the business of being ministerial people.

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

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

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

18 CHAIRMAN PHILLIPS: Bill.

19 DR. PEPICELLO: This is Bill.

20 Carol, if I could ask, does that committee
21 that Arthur just referred to does it have its own
22 staff?

1 MS. GRIFFITHS: It has the same staff that
2 you have.

3 DR. PEPICELLO: I suspected as much.

4 CHAIRMAN PHILLIPS: Meaning you, not the
5 accreditation group.

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

12 CHAIRMAN PHILLIPS: Thank you. Bobbi.

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

19 DR. ROTHKOPF: No answer.

20 CHAIRMAN PHILLIPS: Art.

21 DR. KEISER: Well, I'm not sure that's
22 separate and different. I think the fact is the

1 staff is the eyes and ears of this group, and their
2 recommendation is crucial and usually, 99 out of 100
3 times, been pretty close to what it should be. And I
4 think that staff recommendation should come to us,
5 but then it's what happens after we make our decision
6 that takes into account the staff and takes into
7 account our questions and involvement that should go
8 right to the school or through the Secretary to the
9 agency. I always mix that up, but I think that is
10 the appropriate way right there.

11 CHAIRMAN PHILLIPS: Bobbi.

12 DR. DERLIN: Then I would suggest that we
13 remove the word "alternatively" and simply include
14 4.1, and then 4.2 reads "establish" because I
15 certainly recognize your point, Arthur, about in --
16 in this case Arthur Keiser about the importance of
17 the staff recommendations.

18 DR. PEPICELLO: This is Bill.

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

21 CHAIRMAN PHILLIPS: Further discussion
22 about this set of items? This set of recommendations

1 about the nature of the NACIQI work and the
2 interaction between the NACIQI and the larger
3 Department, that's basically what this area is.

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

6 DR. ETCHEMENDY: I hesitate to disagree
7 with Bobbi because we almost always agree. So, it
8 does seem that there's a conflict between terminal
9 decision-making authority and NACIQI as being the
10 recommender to the senior Department official who
11 will then be the decision maker. So I don't think
12 4.2 can really be seen as the way of implementing 4.1
13 quite.

14 DR. PEPICELLO: This is Bill.

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

20 CHAIRMAN PHILLIPS: Anne.

21 MS. NEAL: This doesn't address, and I
22 just throw this out as a question for everybody. In

1 terms of the representation on the Committee, I mean,
2 obviously the Committee has often had folks who, by
3 nature, are deeply steeped in the issue, but I'm
4 wondering if a few who aren't deeply steeped in the
5 issue might also be a healthy input to this review,
6 since we are really dealing with student and student
7 debt, and so I just raise the issue of more public
8 members or whatever, as we think about representation
9 on this committee.

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

16 MS. GRIFFITHS: Thank you. I think I need
17 to add something else that did come up in the
18 subcommittee meeting at the initial time when 4.1 was
19 mentioned and talked about, and that is really what
20 is an operational committee and how does that differ
21 from your committee. And an operational committee,
22 as I understand it, and correct me if I'm wrong, as I

1 understand it, it's not a FACA committee at that
2 point. There are no limitations or tenets on you
3 that fall under the Federal Advisory Committee Act.

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

14 There is no requirement for public input
15 as there is in FACA; however, I will tell you by
16 experience with the operational committee, they do
17 solicit public input prior to going into executive
18 session and making their decisions. So, I do hope
19 that there would be some latitude there, but again, I
20 wanted to bring that back up so that you are more
21 aware perhaps of what you're talking about with an
22 operational committee.

1 MS. MORGAN: There's no requirement that
2 an operational committee make its decisions in
3 executive session. That's done in the foreign med
4 scenario based on diplomatic concerns, foreign
5 relations, which wouldn't be involved here. But as
6 with many of these recommendations, you would have to
7 change the statute, which establishes NACIQI as a
8 FACA committee. That's the Federal Advisory
9 Committee Act.

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

19 DR. PEPICELLO: This is Bill.

20 We had that discussion at some length, and
21 still the subcommittee thought that if we were going
22 to move forward in a substantive and meaningful way

1 this was the path they'd want to follow.

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

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

20 I think it's looking to have more
21 substantive impact on things that it does think are
22 important, so there's a prior level -- and this is

1 the argument that I think that Anne was making that I
2 wanted to speak to that says that we need to be clear
3 about what it is that our activity is focused on and
4 that that's important perhaps before we claim the
5 decision-making authority about whatever that is.

6 DR. PEPICELLO: So, essentially, I think
7 what you might have said is we might have to figure
8 out too before we go to Task 2 before we go to Task
9 4.

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

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

21 Yes, Art.

22 DR. KEISER: Even with that said, if we

1 have the final determination, we will still have to
2 be responsible for all the issues that Congress would
3 want us to look at. So, as a group, could task out
4 the checklist items, the federal compliance issues to
5 staff to do that. And we, as a group, could
6 determine and focus on the learning outcomes, the
7 assessment processes, and the more student-centered
8 issues. But again, I think that's certainly within
9 the purview of the recommendation. I don't think
10 that's inclusive or exclusive of the recommendation
11 that was made by the committee.

12 CHAIRMAN PHILLIPS: Anne.

13 MS. NEAL: I wanted to pick up, Susan, on
14 what you were just saying because I do agree. And I
15 think in light of what we heard this morning from the
16 Deputy Secretary. He talked about getting out of the
17 way, changing regs to make it easier for institutions
18 to innovate. I think there are a number of
19 suggestions we have here, looking at 2.2, getting
20 back to what Bill was saying, where frankly we can
21 enhance transparency and reporting and NACIQI can get
22 out of the way.

1 It's not at all clear to me what apparatus
2 will be necessary if we have reporting of key data
3 relating to student learning and assurance of
4 financial stability. Once we get to that point, I'm
5 not sure what value we're adding, except in those
6 instances where that kind of information is not
7 available. So, perhaps we can basically get
8 ourselves out of a job.

9 CHAIRMAN PHILLIPS: Further thoughts or
10 contributions on Task 4 before we switch over to 1.

11 Okay, I'm going to switch over to the
12 starting point, which was simplifying the process.
13 This was Art's subcommittee. And so, for those of
14 you following along, this is 1.1 and 1.2. Thank you.

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

22 The first is to establish common

1 definitions of accreditation actions and terms, both
2 programmatic and institutional, and to establish
3 common procedures, timelines, and processes among
4 agencies, including actions, due process, and
5 substantive change.

6 I think our discussion was that we have --
7 I forgot how many accrediting agencies, but somewhere
8 80-ish, and almost every one has a different set of
9 terminology for their actions. What is a show cause
10 in one agency is not the same thing in another
11 agency. The accreditation timeline is different in
12 one agency than another, just standard definitions
13 and process.

14 I was heartened to hear at the SAS or
15 reference the early part of the week that CRAC is
16 working exactly, in terms of definitions, a set of
17 common definitions among the regionals. But I think
18 it would certainly behoove, without taking away any
19 of the specialness of certain agencies that we at
20 least have a set of common terms and common
21 definitions, which would enhance the transparency of
22 agency action and agency procedures and let the

1 public have a better view of what is occurring at
2 different accrediting agencies. So, that's 1.1.

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

13 DR. ETCHEMENDY: So, let me talk about
14 1.1, which I was on the subcommittee and so I do
15 support it. I do want to say that it scares me in
16 the following way. That if, in fact, we're talking
17 about simplifying the process and making it more
18 transparent and having standard definitions of
19 actions and terms that sounds great, and I think it
20 would be good if we could get that.

21 Another way of looking at this,
22 particularly, the part about the timelines and

1 establishing common processes it worries me that this
2 would become a very intrusive, all of a sudden NACIQI
3 coming in and saying to the accreditation
4 organizations here's how you have to conduct your
5 business, which is one step away from saying and here
6 is what your standards have to be and that's one step
7 away from having a ministry of higher education that
8 controls it all, and that, I think, is the beginning
9 of the end of a high-quality higher education system.

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

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

20 DR. ETCHEMENDY: Right. It was. And some
21 how or other it got dropped out of the language, Art,
22 because I remember this coming up and specifically

1 your saying what we really want to do is have the
2 accreditation organizations or some subset of them
3 get together and decide, look, here's the action --
4 here's what we should call these actions. We all
5 have roughly the same types of actions. Let's call
6 them this and standardize. That I think is a good
7 idea and I think we should say that.

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

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

20 The last report NACIQI put out back in
21 2012 -- I don't have it here with me, but I think
22 there was reference to support for the idea that in

1 the interest of transparency many of the documents
2 that are a part of the accreditation process, whether
3 they be self-study or the results of the site visit
4 or the decision by the Commission be made public and
5 that they be available to the public because then the
6 public can see what's going on. And I think at least
7 one of the regional accrediting bodies has adopted
8 that. And I guess I happen to be a strong supporter
9 of that because I think putting things out in the
10 open, letting the public see it. I know some in the
11 higher education community are very nervous about
12 that because one institution could use it against
13 another. I would say so be it.

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

20 And as I say, I think we were sort of
21 supportive of that the last go around. I don't think
22 anything has happened to diminish it.

1 CHAIRMAN PHILLIPS: I think just as a
2 historical reference on that that wasn't one of the
3 items that we chose to focus on, so it's not part of
4 the simplification. The transparency notion here is
5 really focused on the confusing language, I believe.
6 It doesn't mean that the committee couldn't develop
7 transparency recommendations, but it's not part of
8 the four tasks that we set for ourselves this time.

9 Other comments? Simon.

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

20 And I know the Department of Education has
21 already been doing this, and I think the accrediting
22 field, catching up to the 21st Century, could

1 definitely benefit from something like that.

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

18 So, I think it's important that from an
19 institutional standpoint as from an accrediting
20 standpoint, and I've served on both sides, that there
21 is appropriate due process that's not totally in the
22 sunshine because it does inhibit the process very

1 significantly.

2 You may not agree with me, but I've been
3 on both sides, and it is very difficult and it
4 creates in the case of Florida, a lot of bad
5 government.

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

16 In many ways, I think we need to subject
17 higher education to the same standards that public
18 corporations have and the SEC requires things to be
19 out there so that people can analyze it. That also
20 helps analysts to really get real information there.
21 And so I think the more sunshine the better, but I'm
22 not calling for these meetings of commissions or

1 accrediting bodies to be public, but I think the
2 decisions need to be out there and the fullness in
3 which they're decided as well as what the site visits
4 have come up with.

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

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

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

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

20 Okay, let me ask Arthur to move us on --
21 Art -- pardon me -- to move us onto Task Number 3.
22 I'm sorry.

1 (Mike goes dead.)

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

5 DR. KEISER: The first recommendation,
6 probably one of the more controversial ones would be
7 to convert all the accrediting agencies into national
8 accreditors to eliminate the regional monopoly so
9 that institutions and accrediting agencies may
10 realign themselves among sector institution-type or
11 other more appropriate lines rather than geographical
12 location. This will help to eliminate what our
13 committee felt was a two-tier system and to
14 facilitate policies that help students, such as
15 transfer of credit and to enhance and approve
16 accreditation.

17 Second, 3.2, is to allow for alternative
18 accrediting organizations that are new, innovative
19 mechanisms for quality assurances that could surface
20 and provide innovation. 3.3 is to establish less
21 burdensome access to Title IV funding for
22 high-quality, low-risk institutions. These would

1 allow the agencies to have fewer burdens for what
2 they perceive as low-risk, high-quality institutions.

3 3.4 is, before eligibility for Title IV,
4 require institutions to provide self-certified data
5 on key matrix such as access, cost, and student
6 success.

7 And finally, recommend that accreditation
8 not be an all or nothing affair, establish a range of
9 accreditation statuses that provide differential
10 access to Title IV funds.

11 These were all a little controversial.

12 CHAIRMAN PHILLIPS: Okay. We do have
13 cookies available. Comments and questions on these
14 items? Anne.

15 MR. PEPICELLO: -- my parting shot, and
16 then I'm going to run. I mean I think the reason
17 there's some silence is these all make perfect sense.
18 They're all extremely difficult, but I think it goes
19 to putting vital issues on the table, having an open
20 and honest discussion about them. And it goes, I
21 think, ultimately to Simon to one of your heartfelt
22 things here that it does go to affordability

1 ultimately and it goes to accessibility. And you
2 can't talk about higher education without using those
3 words, as well as transparency, of course.

4 But I think these are the toughest ones to
5 chew on, but I think it lays out -- as I read it, it
6 lays out what a new pathway would look like. And it
7 says instead of talking about it let's do something
8 about it, and I think that's what gives people pause.

9 CHAIRMAN PHILLIPS: Arthur.

10 DR. ROTHKOPF: Arthur Rothkopf. I second
11 Bill's comments, and I'd add a third word and that is
12 innovation. Everyone talks about innovation and it's
13 one of the buzz words of this decade, but I think
14 this does offer the potential, particularly, 3.3,
15 when it talks about less burdensome access to Title
16 IV funds.

17 I mean there's so many new models being
18 talked about, and I'm not one who's particularly
19 engaged or understands the technology that's going
20 on. There are others here who know far more than I
21 do. I think reordering the system and not having it
22 based on what happened in the 19th Century is a good

1 way to start stirring things up and bringing out the
2 innovators in our society who will, I think, be the
3 ones to address the issues of access and
4 affordability because that's where the hope is.

5 The current model, in my view, is
6 semi-hopeless in terms of affordability because there
7 are so many built-in costs that will be so difficult
8 to eliminate, but I think the innovators of the next
9 10 or 20 years will think of ways to provide quality
10 education at a much more affordable cost. That, in
11 my view, is the only way to get from here to there.

12 CHAIRMAN PHILLIPS: Let me toss in a
13 couple of questions, comments of my own just to add
14 to the mix.

15 I would suggest that the same issue that
16 we had about requiring accreditors to use "X"
17 language would probably apply to 3.1, that
18 accrediting agencies aren't created by the government
19 and so converting them isn't something that there's
20 authority to, although perhaps there's a different
21 set of verbs that could be suggested there. I don't
22 know quite what they are right now, but there is a

1 centralized focus that perhaps isn't right for that
2 domain.

3 So, the second one I wanted to just
4 comment on is reflection on some of what the
5 Department has been doing with respect to competency
6 or evidence-based learning outcomes. And my
7 understanding is that they're creating what I'll call
8 safe zones, places or sets of authorizations in which
9 the customary rules of engagement are suspended to
10 some degree and some innovation is allowed to occur
11 while not endangering the larger system. So,
12 creating a space where this potential innovative
13 practice could happen providing some oversight and
14 monitoring, so how is that going in there in that
15 creative space.

16 And then I expect from that practice
17 emerging by saying we could make this space larger.
18 We could make this space available to more places, or
19 the space doesn't work at all. We're closing it and
20 putting it away, and we'll try something else.

21 That notion of a safe space strikes me as
22 something that might fit well with and allow for

1 alternative accrediting agencies. It might work well
2 for the less burdensome access to Title IV funding.
3 It might work well for the eligibility for Title IV
4 funds. It might work well for the all or nothing
5 affair. I think the all or nothing affair actually
6 could be done separately.

7 So, there might be an umbrella under which
8 a number of these could go that would provide a
9 little less daunting step, but encouraging an
10 experimentation space, a lab, a safe space, a
11 whatever you want to call it that would allow for
12 monitored and evaluated new ideas to be played out a
13 bit with some assurances about how those processes
14 would be evaluated as successful and how the
15 decisions would be made about whether or not those
16 spaces would expand or contract.

17 I'll turn it back to the Committee for
18 further comment. John.

19 DR. ETCHEMENDY: In general, I like that
20 idea as a cautious way to proceed. I don't entirely
21 understand how that would work for some of these
22 recommendations, so for example, making accreditation

1 not an all or nothing affair. I guess you already
2 saw that that was a little bit different. That
3 requires a legislative solution and stuff going on on
4 both sides, both in the Department and in the
5 legislature.

6 Converting agencies into international
7 accreditors how would that work?

8 CHAIRMAN PHILLIPS: I actually was
9 referring to the 3.2, .3 and .4 of the safe bases
10 places. The 3.1, the issue that you had raised
11 earlier of who's at the other end of that lever
12 called convert, which I think is an issue in the
13 accreditation versus national ministry problem that
14 you had identified earlier. Who gets to say what
15 converts?

16 DR. ETCHEMENDY: Truth. Although, I mean
17 we could always say an accreditation organization
18 could not have restrictions based on geographic
19 location. I mean, I imagine that that's some that we
20 or the Department could do and that would
21 automatically convert all the regionals into
22 nationals.

1 CHAIRMAN PHILLIPS: Or they could go out
2 of business.

3 DR. KEISER: The current statute
4 recognizes the regional creditors as a separate
5 group. So, this presupposes that the legislation
6 would eliminate that separate recognition and
7 possibly use the antitrust type language that there
8 should not be any restrictions based on geography or
9 other -- you know, if an agency -- what really got
10 our group discussing it was like an agency for
11 Stanford, Princeton, and Harvard or the elite
12 institutions in this country, that the agency would
13 just take those elite institutions as members and
14 whoever wanted be in it a member, not tied to
15 geographical location, and that's a separate set of
16 standards that would apply that would, hopefully, be
17 even more rigorous than the current standards are.

18 DR. ETCHEMENDY: But Art, to correct your
19 memory, that was not the example that came up. I'm
20 not in favor of a separate accreditation agency for
21 elite institutions.

22 DR. KEISER: That is a possibility.

1 DR. ETCHEMENDY: Let the record show --

2 DR. KEISER: There is the possibility to
3 create that kind of competitive environment.

4 CHAIRMAN PHILLIPS: Bobbi.

5 DR. DERLIN: I think the idea of having
6 some safe zones or however you might define it as an
7 implementation strategy or as a step passed the
8 recommendation, but in terms of actually
9 incorporating it into the recommendation I think I
10 would have the same concern that I raised previously.
11 I mean these recommendations sort of silenced our
12 group because they were daunting and they are bold.
13 And I don't know that I would necessarily want to
14 make them milder.

15 MR. BOEHME: I agree with that. I think
16 that this is exciting. We are moving into the 21st
17 Century. Higher education is changing. And I think
18 it's time that an outdated system is going to start
19 working for students. It's going to start working
20 for the consumers more effectively and it's going to
21 start looking at components that matter. And I agree
22 with Anne when she was saying earlier that I think

1 accreditation starts to get to the heart of student
2 outcomes.

3 I personally believe that it also goes to
4 affordability and accessibility, and through these
5 changes we can start talking about the most important
6 issues in higher ed.

7 CHAIRMAN PHILLIPS: Anne.

8 MS. NEAL: Particularly, on your first
9 point, I think the goal is to give institutions the
10 widest range of choice and right now they really do
11 not, given the carving up of the country into
12 regions. So, I think that was our sense there that
13 rather than allowing a limited scope and insisting on
14 a designated scope that we would allow an expanded
15 scope.

16 One other thing I would just throw is in
17 thinking about, and it's in the transparency realm,
18 when we look at 3.4 talking about more data
19 available, we might even think about something where
20 a student is filling out an easier FAFSA there would
21 be a way to link to the data like this when applying
22 so that it would be more ready to the individual

1 student as he or she is thinking about which schools
2 to go to.

3 CHAIRMAN PHILLIPS: I have been reminded
4 that we are really in an opportunity for a break. At
5 this moment, we are about five minutes to 3:00. I'd
6 like to give that opportunity for just a 10 minute
7 switch of gears. We'll come back and see where we
8 are in the summary of the comments so far.

9 (Whereupon, a short recess was taken.)

10 CHAIRMAN PHILLIPS: We're a little longer
11 than our 10-minute break, but wanted to give people a
12 chance to finish their conversations and come back to
13 the common conversation here. I realize we are
14 losing members, we continue to lose members, so I
15 wanted to see if I could pull my arms around where
16 the conversation has taken us today.

17 Before I do that I think that Herman may
18 have had a question on Number 4 that you wanted to
19 put in before I wrap up.

20 MR. BOUNDS: Just a comment, and I think
21 the Committee is aware, but the comment was just
22 relative to your 4.1 where it talks about NACIQI and

1 the staff.

2 I just wanted for those members that were
3 not aware the accreditation group as its currently
4 established we also do the reports for the Foreign
5 Medical Committee plus NACIQI. We try to work hard
6 for both of those, and we also have some additional
7 requirements, so just to make the NACIQI aware that
8 we have a lot of different responsibilities, but we
9 do try to support you guys as best we can. So,
10 sometimes the ties to one group might be difficult,
11 so I just wanted to bring that out.

12 CHAIRMAN PHILLIPS: Thank you.

13 So, our conversation today so far I think
14 has lead us to the following place, and let me do the
15 whole thing and then you can adjust as needed.

16 First, let me start with -- underscore
17 that it's a draft that we've been working with. It
18 doesn't even have an introduction or a rational or
19 anything like that, so we can expect that the next
20 version would have a preface and a context for this
21 conversation that -- specify that this wasn't a
22 replacement of our 2012 report. This is simply the

1 2014 addition of our thinking -- would have an
2 introduction that gave context.

3 This report would also have these four
4 sections, one about simplifying the process, which is
5 largely as posed here with change of verb on who's
6 establishing common definitions, and also from
7 bringing from the 2012 report the language on making
8 documents transparent. It is document number 20 on
9 the prior report. I did find it and can pull it out
10 and put it in here for reconsideration to simplify
11 the process.

12 On the question of enhancing nuance, we
13 spoke about very much concurring with these items
14 with what I'll call the period provision to remove
15 the italicized sections that suggest that there's a
16 list and what ought to be on it, but rather to stick
17 with that NACIQI's task is to create those lists and
18 to determine how many there are. So, to essentially
19 concur with the nuance recommendations as posed.

20 On the third, to also concur, by and
21 large, with all of the relationship between quality
22 assurance and access to Title IV funds with some

1 language change that I jotted as we were going along
2 to focus that first one on affording institutions the
3 widest range of choice, that was what Anne was
4 speaking about, and aligning themselves along sector
5 institution type or whatever. We'll see whether we
6 want to leave in the conversion to national
7 accreditation. And to maintain the other ones as is,
8 as written. We didn't talk about whether we want to
9 include the background and commentary on those, but
10 you can determine that.

11 And then the fourth, NACIQI's role and
12 function, with a caveat that we'd like to have more
13 clarity on the nuance in the accreditation process.
14 And I would argue on the relationship between quality
15 assurance and Title IV that the questions about
16 NACIQI's role and function being taken up as those
17 become clearer, but to sustain the recommendations
18 that have to do with the relationship with the
19 Secretary and the communication about larger issues.

20 So, that's in seven minutes a wrap of
21 where I think we may have ended up today. Now, of
22 those comments did I get wrong, what seems not quite

1 right, what occurs to you now as something that would
2 be a little different that you'd recommend? Anne.

3 MS. NEAL: I think that was a terrific
4 summary. My only question is, and this gets back to
5 what Bobbi had suggested, that we put the period
6 after 'outcomes.'" I think there is some recognition
7 here in the group that these bullet points in 2.2 are
8 exemplary. I think they're exemplary in every sense
9 of the term, but I'm just wondering since this is
10 going out for public comment would it not potentially
11 be valuable simply to leave them in prefaced by 'such
12 as" in order to get feedback as to this particular
13 selection?

14 CHAIRMAN PHILLIPS: Your thoughts?

15 DR. DERLIN: Since I was the proponent of
16 the period, I actually think having an example
17 listing is fine, but I think it needs to reflect both
18 sides of the intended equation, which is to include
19 some things and to explicitly exclude consideration
20 of others. And I think we're just having a hard time
21 figuring out what those two lists might look like.

22 DR. KEISER: I think your summary, Susan,

1 was excellent. I think it's really important to have
2 somebody within NACIQI or outside who works under
3 your direction to begin the drafting of the document
4 that would explain what it is that we're trying to
5 accomplish, an introduction, what concerns we have
6 that then lead into these four sets of
7 recommendations to make it a document that gets --
8 you know, the public understands with the hiring
9 community and outside what it is that we are trying
10 to accomplish.

11 And I think you even look at the question
12 of whether this is the right order of
13 recommendations. You have thought of that when you
14 put it together, or the 1, 2, 3, 4 may just be the
15 way it came out. So, what's the order, what's it
16 look like, a conclusion, and make clear we're putting
17 this out for comment, but we're trying to look at
18 this with the backgrounds that we have, the
19 experience that some of us have had for long periods,
20 some for a shorter period in dealing with the issues
21 that come forth.

22 So, I think now it's time to put it all

1 into context and have a document that we would feel
2 comfortable with putting out for comment. And again,
3 I observe we don't know when the train begins to
4 leave the station, but I have a feeling it may be
5 leaving sooner than we think, and we ought to be
6 ready for that. And also be ready to maybe have the
7 Department -- and I may have said this earlier --
8 have the Department look at what we say so it's not
9 just us recommending it, but the Department does. I
10 think that would help.

11 CHAIRMAN PHILLIPS: John.

12 DR. ETCHEMENDY: So, I'd like to ask what
13 the next steps are. And what I would like to see the
14 next steps being is, Art, that somebody, maybe
15 somebody who's really good at summarizing things in
16 seven minutes, take a shot at a draft of the actual
17 report. Now, I don't know what's allowed. Can that
18 be circulated to the committee for comment; that is
19 the NACIQI members for comment by email?

20 CHAIRMAN PHILLIPS: I believe so.

21 DR. ETCHEMENDY: Is that's what's going to
22 happen now.

1 CHAIRMAN PHILLIPS: Somebody clearly needs
2 to put the package together, but I don't think we can
3 quite build that catch right at this moment, at least
4 not these whiskers, and it definitely needs a
5 context, an introduction, and so forth. These
6 obviously are chopped up into the pieces that we were
7 working on and they might well go back together in a
8 slightly different stew form.

9 Mindful of the possible timeline and
10 wanting to have this work be as influential as it
11 could be, I think I would want to have the target for
12 public comment be quite early in the New Year, so
13 might I even say January. That does mean the
14 Committee would need to respond and react fairly
15 quickly in order to be able to move it to an
16 opportunity for the public to receive it and review
17 it and be able to get back to us with their comments,
18 have us have an opportunity to consider that again
19 together. We'd have to do that probably on a webinar
20 in perhaps March so that we would hope to be able to
21 come to a conclusion that would allow this to be in
22 the water supply of policy action before our next

1 meeting, our next official meeting being in June.

2 So, it would put a bit of a fast forward
3 on the process that I had outlined earlier, and we
4 could certainly pursue that. If we didn't make it,
5 we'll obviously adjust, but it would include having
6 an edited document with your New Year's eggnog.

7 MR. BOEHME: Just one small point.

8 CHAIRMAN PHILLIPS: Yes.

9 MR. BOEHME: I want to make sure that in
10 your notes you kept Anne's good point of considering
11 potentially looking at outsiders to join NACIQI --
12 you know, more students.

13 CHAIRMAN PHILLIPS: She didn't actually
14 mention the students.

15 MR. BOEHME: No, I know. I'm putting
16 words in her mouth now. I'm sure she would like a
17 few more young bucks around, you know, young people.
18 Right, Anne.

19 CHAIRMAN PHILLIPS: I did have that in the
20 question about people who are not actively involved
21 in the education business, which might exclude
22 students actually.

1 MR. BOEHME: Okay, then I propose most
2 students.

3 CHAIRMAN PHILLIPS: So, that's the rough
4 timeline. I'm mindful that it is always easier to
5 envision a very smooth path when you're in this
6 meeting and in about an hour it will look a little
7 different.

8 DR. ROTHKOPF: This is an idea that I'm
9 sure will be rejected, but let me put it out anyway.
10 In terms of looking for the editor or the writer of
11 this document and trying to be thoughtful of the
12 Committee and I know the staff. I mean one
13 possibility is to have the staff involved in the
14 writing.

15 Another, and I see a former leader, Jamie
16 is sitting here. I wonder if it's possible to get
17 one of the really good writers who work for the
18 Department, maybe in the Communications Department,
19 maybe to be helpful to us in putting this document
20 together. It probably breaches all sorts of rules to
21 do that, but maybe you could get --

22 CHAIRMAN PHILLIPS: If there were somebody

1 from the Department high ranking in the room who
2 might want to think about that; you've put that out
3 into the airwaves.

4 DR. ROTHKOPF: Okay.

5 CHAIRMAN PHILLIPS: Thank you.

6 Other comments or questions?

7 I'm mindful in this process that because
8 we have members that are -- our full complement of 18
9 members have not been present today and some, at
10 least two and perhaps five, will be completely new to
11 this by the time it comes for a vote. I would not
12 venture to say that we are unanimous in our views
13 about this currently, so I'm sure that there will be
14 additional divergence of opinion then and some new
15 ideas to be considered. So, we're doing this pathway
16 in the context of a moving set of voices and votes,
17 which also will enrich the process and complicate it,
18 so doubly good.

19 Having secured your commitment to
20 reviewing this over your eggnog over New Year's Eve,
21 I will take up the responsibility of figuring out how
22 to get it drafted in some way before then so that we

1 can move along quickly, and will look forward to your
2 responses back very quickly so that we have a
3 mid-February release -- mid-January release date for
4 the public, who I hope is also now prepared to
5 respond really quickly back there, and then we'll
6 just go on from there.

7 If that concludes our business on the
8 policy part of our conversation today, that also will
9 conclude our business for the meeting. If I have
10 anything else that I've missed, Herman or --
11 wonderful.

12 DR. ROTHKOPF: One question.

13 CHAIRMAN PHILLIPS: Yes.

14 DR. ROTHKOPF: How about the date for the
15 next meeting? I saw there was a document that listed
16 some two dates in June as tentative. Should we put
17 them in our calendars?

18 MS. GRIFFITHS: That's what we'd like to
19 know from you, whether or not it would fit your
20 calendar. So, if you could as soon as you could tell
21 us how that marries up to your availability, we'll
22 lock it in.

1 CHAIRMAN PHILLIPS: Thank you then for
2 coming. Thank you in the audience who've stuck with
3 us for this period of time. We look forward to your
4 continued conversation and wishing the Committee
5 members good travels, safe travels, especially back
6 to the West Coast and good holidays. I'll be
7 thinking of you as you're reviewing this document on
8 New Year's Eve. Thanks.

9 (Whereupon, at 3:35 p.m., the meeting was
10 adjourned.)

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