

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
NATIONAL ADVISORY COMMITTEE ON
INSTITUTIONAL QUALITY AND INTEGRITY [NACIQI]

VOLUME III

Friday, December 18, 2015

8:32 a.m.

Hilton Old Town Alexandria
Grand Ballroom
1767 King Street
Alexandria, VA 22314

P A R T I C I P A N T S**COMMITTEE MEMBERS PRESENT:**

DR. SUSAN D. PHILLIPS, Chair

DR. KATHLEEN SULLIVAN ALIOTO

MR. SIMON BOEHME

MR. GEORGE HANK BROWN

DR. JILL DERBY

DR. ROBERTA (Bobbie) DERLIN

DR. JOHN ETCHEMENDY

DR. PAUL J. LeBLANC

MS. ANNE D. NEAL

MR. RICHARD F. O'DONNELL

DR. WILLIAM PEPICELLO

MR. ARTHUR J. ROTHKOPF

MR. CAMERON C. STAPLES

MR. RALPH WOLFF

MR. FRANK H. WU

DR. FEDERICO ZARAGOZA

COMMITTEE MEMBERS ABSENT:

DR. GEORGE FRENCH

DR. ARTHUR E. KEISER, Vice Chair

U.S. DEPARTMENT OF EDUCATION STAFF PRESENT:

DR. JENNIFER HONG, Executive Director, NACIQI

MR. HERMAN BOUNDS, Ed.S., Director, Accreditation
Group

MS. DONNA MANGOLD, OGC

MS. ELIZABETH DAGGETT

DR. NICOLE HARRIS

MS. VALERIE LEFOR

MR. CHUCK MULA

MR. STEPHEN PORCELLI

DR. RACHAEL SHULTZ

MS. PATRICIA HOWES

MS. CATHY SHEFFIELD

MS. KAREN DUKE

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Dr. Cassie Bradshaw, Vice President for
Accreditation, MACTE

Public Postsecondary Vocational Education
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Dr. Federico Zaragoza, Ph.D.

Department Staff:
Dr. Rachael Shultz, Ed.D.

Representatives of the Agency:
Dr. Marcie Mack, State Director, OK-CTE
Ms. Dawn Lindsley, Accreditation Coordinator
OK-CTE

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P R O C E E D I N G S

CHAIRPERSON PHILLIPS: Good morning. If I could ask you to take your seats, good morning, and welcome to day three of the December NACIQI meeting. I'm Susan Phillips, the chair of NACIQI, also from the State University of New York at Albany.

I wanted to do a quick introduction of those at the table and also recognize the wonderful efforts of those who don't have mics that are the Accreditation Review Staff on the sidelines. I'm going to start with Simon for an introduction, and we'll go around, and I'm going to skip these two characters in the middle because we'll introduce them in a moment.

Simon.

MR. BOEHME: Simon Boehme, Mitchell Scholar.

MR. WU: Frank Wu, Chancellor and Dean, University of California Hastings College of Law.

DR. ETCHEMENDY: John Etchemendy, Provost at Stanford.

DR. DERLIN: Bobbie Derlin, former Associate Provost at New Mexico State.

MR. WOLFF: Ralph Wolff, consultant, former President of WASC-Sr.

MR. BROWN: Hank Brown from Colorado.

MR. STAPLES: Cam Staples, President of New England Association of Schools and Colleges.

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

MS. MANGOLD: Donna Mangold, Department of Education, Office of General Counsel.

DR. HONG: Jennifer Hong, NACIQI Executive Director and Designated Federal Official.

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

DR. ZARAGOZA: Federico Zaragoza, Vice Chancellor, Economic and Workforce Development, Alamo Colleges.

DR. LeBLANC: Paul LeBlanc, President of Southern New Hampshire University.

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

MR. O'DONNELL: Rick O'Donnell, CEO of Skills Fund.

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

DR. SULLIVAN ALIOTO: Kathleen Sullivan Alioto from Boston, New York and San Francisco.

CHAIRPERSON PHILLIPS: Greetings and welcome. And, again, many thanks to the staff who have made this meeting go quite smoothly and who have been doing the preparation beforehand.

DEPARTMENT UPDATES
Ted Mitchell, Under Secretary

CHAIRPERSON PHILLIPS: We start this morning with updates from the Department of Education. We have joining us Ted Mitchell, who, as you know, is the Under Secretary of Education in the U.S., and Jamienne Studley, the Deputy Under Secretary, who is also delegated the duties of Secretary for Postsecondary Education, at least until the end of today. Those of you who haven't heard know that Jamienne is leaving the Department for parts west.

So without further introduction, let me turn the floor over to Ted and invite his comments. He'll be speaking for a bit, and also we'll have an opportunity for interaction and exchange and questions after. So, Ted, thank you very much for being here.

DR. MITCHELL: Thanks, Susan, and thanks to all of you for being here today. Now that the ground has been warmed up, I think I'm ready to talk with you today after two incredible days of hard work. So thank you. Thank you for that, you

guys.

I want to thank Susan for her leadership. I also want to thank Jamienne for her extraordinary leadership, at one point, of NACIQI and more recently her leadership as acting Under Secretary, as Deputy Under Secretary, as delegated the authority to be the Assistant--

CHAIRPERSON PHILLIPS: Utility infielder.

DR. MITCHELL: You know when you say "utility infielder," it feels extra.

[Laughter.]

DR. MITCHELL: And that's not been Jamienne's role. Jamienne has been the ultimate team player and ultimate team leader, and I'm going to miss her, and we're all going to miss her. Maybe there's an opportunity for a reappointment to NACIQI in her private citizen status coming up.

[Laughter.]

DR. MITCHELL: I suggested to the Secretary that he should run the NCAA. So maybe, Jamienne, you should do that or come back here.

So I do want to share a couple of things

with you, and then I'd like to engage in a conversation. I look forward to our conversations, and this is no exception. In that conversation, my guess is that one of the things that may come up is a question about the status of an appeal that is sitting on the Secretary's desk, and so let me just say that that appeal is still pending.

We are hard at work on it. These are, as you know better than I do, complicated matters, and we want to do things right. Two years is a long time, and I apologize for the two years, but we know that we owe you that work, and we are getting about that.

So with that out of the way, let me step back up a level and say that as I think you know because of the attention lately, whether that's on the Hill, whether that's through the executive actions that we've taken as a Department, or the Secretary's continued interest in us fleshing out details of where to go together, accreditation is much on the nation's mind, and the work of the accreditation community has never been more

important, which means that the work of NACIQI has never been more important to help us organize our thinking to get this right in the face of growing demand for higher education across the marketplace and proliferation of providers of higher education that challenge us to be both rigorous and flexible in our approach to accreditation.

I think that you know that what has galvanized our work over the last year-and-a-half or so has been a focus on outcome. And I want to be clear throughout my remarks this morning of a couple of things. When we talk about outcomes, we're talking about things that the Department can look at that include complication, placement, and other data.

When it comes to other kinds of outcomes, what students should know and be able to do when they leave our institutions, that's not our province. The Federal government cannot, will not, and should not set institutional standards for what students should know and be able to do.

One of the great positive attributes of

American higher education is the diversity of our institutions and the diversity of their missions. And in order to carry out those missions, institutions need the freedom and have the responsibility to set standards for what students ought to be able to do and what they should know at the end of the educational process.

The accreditor's role, as you know, and as you're helping to promote, the accreditor's role is to make sure that institutions live up to those standards and to set standards themselves across the board for their portfolio of institutions.

Our job, in turn, is to make sure, as NACIQI and the Department collectively, to make sure that accreditors are both rigorous and flexible in applying those standards. I'll come back to that at the end, but I wanted to state that as clearly as I could at the outset.

So today I want to do a couple of things. I want to talk first about how the administration is continuing to drive access, affordability and quality through the work that we're doing. Then I

want to talk more specifically about partnering with NACIQI in that effort, and then finally I'd like to come to the narrower point about the executive actions and legislative proposals that we put on the table in November under Jamienne's leadership.

So, first, the first point, what are we doing to try to drive access, create more affordable pathways to higher education, and ensure a steady stream of high quality outcomes, particularly for students who have been shut out of higher education in the past, historically marginalized groups, or newly emerging groups with growing needs for higher education, whether those are displaced workers, returning veterans, single moms trying to move their careers and lives forward.

All of those learners deserve a place in American higher education, and if we are to achieve our goals and the President's 2020 goal of having the best educated workforce in the world and leading the world once again in percentage of

adults with postsecondary degrees, we need to reach out to an increasingly diverse set of learners.

It is also the right thing to do. As I've said to you before, this is a math problem in terms of getting the numbers right, but, more centrally, it's a moral problem of living up to our responsibilities in a diverse democracy to provide opportunity for all.

So we've worked hard in three areas: one, to tackle cost and debt; second, to spark innovation to reach that new population of students; and, finally, to shift incentives and focusing on outcomes.

In terms of cost and debt, we know that the cost of higher education is indeed high, and we've tried to address that in a number of ways. At the front end, we've worked hard to increase the amount of money that goes into Pell grants. We have increased the number of students who receive Pell by moving to the direct loan system. We've moved over \$60 billion from banks into the Federal coffers that has helped us fund our work.

On the back end, we have created and you may have seen just yesterday we announced the final piece to the puzzle of income-driven repayment plans so that now every American with a direct loan has the opportunity to cap their monthly loan payments at ten percent of discretionary income.

We believe that this will help individual borrowers manage their student debt, and we believe critically that it will help us as a nation move the default, continue to move the default rate down, providing opportunities for borrowers not only to pay back their student loans but to get on with their lives in a positive way.

We have also worked hard to curb predatory behavior that too often leaves students with high debt and either no degrees or worthless degrees, and we will continue to enforce vigorously the high standards that we have established for institutions through the Gainful Employment regulation among others.

Also, we have tried to use information to make it more likely that prospective students make

good choices about colleges and college fit and have made our first down payment on that in terms of the College Scorecard that we put out earlier this year.

So there's a lot that we've done, but there's a heck of a lot more to do, and I'll mention just a couple. One of the key drivers of tuition increases has been state disincentive in public higher education, and to truly tackle cost, we need states to get back in the game. We need them to reinvest in higher education and to do so speedily.

We need to work with institutions to contain costs, to control costs, and are quite pleased to see the number of institutions that are either freezing tuition, lowering tuition or setting family income level caps below which students have access to institutional aid.

And, finally, we need to make sure that we have mechanisms in place that create incentives for students to do the work that they need to do in a timely way to get their degrees. This is likely to

involve some changes in financial aid, but also institution level investments in the kinds of supports that we know are important to help students, particularly first-generation students and low-income students, succeed in colleges.

I mentioned before that in order to meet the moral needs of our democracy and the mathematical needs of increasing graduation rates that we need to address the pipeline of what we used to think about as nontraditional students but are now the new normal student, students who are balancing higher education with work and family demands, and to do that, we are going to need to do things differently.

We can't rely on traditional bricks and mortar institutions to provide the kind of flexible access to postsecondary education that these learners need.

The good news is that there are plenty of folks ready to help, whether they're institutions themselves that are innovating or new providers who are entering the marketplace.

We believe that the innovations that are afoot in higher education are many and profound and deserve our careful attention. The Department wants very much to support innovation, but we want to support the innovations that work, and to that end, I think many of you know that we've embarked upon a pretty ambitious set of experiments to use our authority to use Federal financial aid in different ways to promote experimentation that we hope will lead to the identification of good practice that will then in its turn lead us to making policy changes that can help scale those innovations.

And so just to run through the list, talking about vulnerable learners, there's probably no more vulnerable population in the country than incarcerated men and women, and so one of our experiments makes Pell grants available to those men and women to help prepare them for their post-release reentry into society and into the economy. We believe that that's an experiment worth doing, and we have high expectations for its results.

Competency-based education holds the promise of providing not only flexible access to education but narrower, clearer establishments of mastery of subject matter and skills, and so our competency-based education experiment will enable institutions to pursue competency-based education and new funding models, including a subscription model whereby students--the funds will flow to support a subscription orientation around credit.

We are working to incent new providers to enter the marketplace in collaboration with institutions of higher education in an experiment we're calling EQUIP, and the new providers will work in partnership with a traditional institution of higher education and that institution's accreditor to provide more flexible access to some of the high quality programs--think boot camps, think MOOCs--that we think have the opportunity to scale and provide access to high quality education for underserved students.

Experiments in prior learning assessment, in limited direct assessment, and I'll mention one

more, in a paragraph, dual enrollment, an experiment in dual enrollment. One of the things that we learned over time, and researchers are clear about, is that dual enrollment programs not only help students gain college credit while they're still in high school, but for the first-generation college student who can't quite yet imagine themselves in college doing college work, it turns out to be a force multiplier in helping them see themselves as college students and ultimately see themselves as college graduates.

So I run through these. Each of these we believe has merits. Happy to talk more about any of them individually, but I wanted to put them on the table as examples of what we think are approaches to innovation that have promise and an approach to experimentation that we think will allow us over the next several years to map out some territory, not only for institutional practice and institutional innovation, but for policy change as well.

Let me now move to point number two:

working together on this range of issues. It's important to remember in all of these experiments that these experiments all take place within the framework of the current accreditation process. So when I say we need to work with you in partnership, I'm not just waving my arms. We do.

And one of the things we're looking for from accreditors--and love to have NACIQI keep its eyes on this as well--is how are accreditors thinking about these new innovative practices? What kinds of processes are accreditors using to explore whether a particular application of one of these experiments is viable or not.

Those are important questions to us as we move into this environment of thinking more about outcomes. So we can use your help as we move these experiments along.

We also need NACIQI's help in thinking about how the accreditation process can, not just in the experimental mode but in the more standard approach, how outcomes can become a more central part of how you look at an accreditor's role, how

you look at an accreditor's scope of work, and critically how you look at an accreditor's performance when they come before you for recertification.

To get a start in that, part three, to get a start in that, we have taken a stab after working for a number of months, again, under Jamiene's leadership, at some executive actions that we think will help focus the nation's attention on outcomes and provide a little more transparency into the accreditation process.

So I think at your place, you all have copies of the executive actions. I won't read that to you, but I will do the topic sentence of each of the paragraphs. In our five executive actions, we announced that we will be publishing each accreditor's standards for evaluating student outcomes. We think that that's important for the public and higher education community to know.

We want to increase transparency by requiring accreditors to send us decision letters for institutions that are placed on probation.

It's an important accreditor action, and we think that it's important for the public to know that.

To make that easier, we'll post that information on an accreditation Web page that we're--home page that we're working to develop.

We've talked a lot about, over the years when I've come here, about increasing coordination with both NACIQI and with accreditors, and we want to pledge ourselves to doing that and trying to get better at it everyday or every week, and it's not something that we're going to be perfect at, but we want to work together in the spirit of cooperation.

One of the things we know we all can do better is--and I'm thinking more about accreditors than NACIQI in this--is share information about institutions of concern. Our program review process in Federal Student Aid, for example, oftentimes reveals things that we think accreditors should know. Similarly, we hope that when accreditors find things that they think we should know, that we can make that easier. There are other agencies that work with institutions of

higher education, and we'd like carefully to create crosswalks whereby that information, when it's important, can be shared as well.

Our fourth action, again, a data piece, is to draw on Scorecard information, to publish student and institutional metrics for postsecondary institutions by accreditor, so that the public can get a sense of the sweep of a portfolio of different accrediting bodies in terms of some of the metrics that students and families care most about--things like graduation rate, loan repayment rates, debt at graduation, post-school earnings, and whether the institutions are on some kind of warning status with the Department, particularly our heightened cash-management status, which has to do with the financial capacity of institutions.

And then, finally, and I mentioned this already, but encouraging NACIQI to attend to outcomes when accreditors come to you for review and similarly a pledge from Herman and me and the team to do the same in our reviews.

You know better than anybody the

constraints that are put on the Department by the Higher Education Act, and many of those constraints we believe to be quite appropriate, especially the ones that would prohibit us from establishing some kind of national standard for what students need to know and be able to do. But we think that Congress can help NACIQI and the Department and the field by focusing more on outcomes and allowing NACIQI and the Department to create a differentiated system of recognition of accreditors.

We also would like Congress to require accreditors to mandate robust teachout plans for institutions and to ensure reserve funds for high risk institutions.

NACIQI has talked many times about, as has C-RAC, about establishing a set of standardized common definitions of actions and data elements. We think that that is quite important.

And, finally, we think that Congress can help us help accreditors make more accreditation materials and actions and underlying justifications available to the public.

For those of you who have been on NACIQI for awhile and those of you who have worked with C-RAC, those of you who have been accreditors in the region or commissioners, as I was, under Ralph's tutelage at WASC, you know that none of these issues are new, and, in fact, many of our executive actions and our requests of Congress are either the direct or the indirect result of the 2012 NACIQI report or conversations that we've had subsequent to that.

And so we are grateful for NACIQI's contribution and partnership in helping us create a stronger focus on outcomes and a stronger commitment to transparency.

So I'm going to stop in just a second, but what I want to do is to just say a couple of quick things. The kinds of outcomes that I have been talking about and the kinds of outcomes that we're talking about putting up on our website and that are present on the Scorecard are only one set of outcomes, and I want to salute our friend Carol Schneider, who I think made a very, very important

contribution to this debate a few weeks ago when she created a call on accreditors and institutions to think harder about the range of outcomes that we have in mind when a student comes to our institutions, and I want to say from the Department's point of view that we endorse that. We think that that is right.

I'm thrilled that she put that out there and hope that while we work on the information that we have, we can continue to expand our focus and the aperture of our lens, as Carol suggests, in looking at a broader range and making sure that we're reminding learners and the public of the broad range of outcomes that we hope for when a student crosses our threshold.

We hope not only that they will leave with marketable skills, whether that market is the market for medical students or the market for welders. We know we want that, but we also want them to leave with a sense of the cultural diversity and richness of American life, our deep-rooted commitment to civil society and a healthy

democracy.

So we will pursue those, as I know you will, and I'm very grateful for the work that you do and very grateful for the partnership that we have.

Susan, back to you.

CHAIRPERSON PHILLIPS: Thank you very much, Ted, for that update and for giving us some things to work on. I think the Committee would be interested in an opportunity to pose questions or to--I will let you call on people. You'll see a hand. I think I just saw John's, John Etchemendy, and we'll go from there.

Thank you very much.

DR. MITCHELL: You bet. John.

DR. ETCHEMENDY: So, Ted, I'm delighted with a lot of the things that you're doing. I want to ask a question about the innovations that you're promoting and experimenting with or experimenting, the encouragement of innovations of various sorts. And I'm particularly interested in how you're going to recognize whether they're successful. I'm

thinking particularly about competency-based education and prior learning assessment.

It's obvious that competency-based education is going to make, I think, make education more accessible because it's just, you know, it's cheaper to go in and take a test and then get credit for what you already know.

But the question of whether or not that approach will have similar beneficial outcomes where what I mean by that is outcomes in the workforce is really up in the air. And I think I've probably talked to you about this before, but the one, the largest experiment in competency-based learning is the GED program, which has been around since the '40s, and the studies of that show, seem to show that the employment outcomes, all of the outcomes post-GED put the GED earners, or degree recipients, directly with the dropouts. So their employment rate, their earnings, their, you know, basically every kind of long-term outcome, they are not distinguishable from the dropouts, and the people who actually did the degree for whatever

reason are excelling in the marketplace much more.

So it seems that there, if anywhere, if we can recognize the competencies that the education provides anywhere, it should be in high school. We know what we teach in high school; right? We teach writing, we teach maybe some math, some algebra, and so forth and so on, and it's a good test. The GED is an excellent test, but it seems like it doesn't quite get at what is important about a high school education.

So how are you going to test this? How are you going to see whether it works?

DR. MITCHELL: That's a great, great question, and I think that my temptation is to ask Professor LeBlanc to--so would you mind if we do a conversation?

DR. LeBLANC: I'd be happy to comment. John, I tend to lump GED in with PLA, which I don't think of as this next generation of competency-based education, which is sort of exam driven. So the new models certainly draw upon what people bring and what they know. But they tend to be much

richer learning experiences than what taking the GED exam implies at least.

We just did--so we had the first direct assessment program approved by the Department. So no credit hours, no courses. And did the first externally validated test of our students' capabilities tested against 21 institutions. This is at 60 credit hours so these were mostly community colleges--21,000 students in the test group.

And our students in the direct assessment program outperformed their peers in all but one of the categories. And the thing that I think in the sort of user case that you described, those are not our students in the competency-based programs. These programs are overwhelmingly directed towards working adults who, in our case, the average age is close to 40. So they've been doing things for awhile. They do bring those strengths to bear, but they're already working in most cases. So I think it's a different user scenario and a richer one maybe.

The other thing I think is common is that people tend to think of this as competency-based as more vocationally situated, but, in fact, our accreditors here, NEASC, we had to account for our general education competencies. Students--the favorite project among students is still the art history competencies, critical thinking, but through the lens of art history.

So we're seeing pretty rich kinds of learning, just very different in terms of delivery and structure.

DR. ETCHEMENDY: So, Paul, let me just ask about that because how did you do the comparison? You say that the students, that you tested them against more traditional students.

DR. LeBLANC: Right.

DR. ETCHEMENDY: But what was the test? See, I'm talking about outcomes that are much longer-term outcomes.

DR. LeBLANC: Sure, and we don't know yet because we just don't know. We're getting our first graduates coming through the pipeline. The

program has been in existence for two years now so there are about 7,000 students, and there are sprinters so there are some who have finished very quickly, but our sample size is really, really small.

Generally speaking, what we're observing is that, and what they're telling us, that they are getting promotions and becoming--so we targeted very deliberately people in the bottom ten percent of the organizational chart. So these often are call center workers. They're making \$21,000 a year, not a family-sustaining wage, and they're becoming, you know, team leads, the assistant supervisors, supervisors, and they're working their way up.

But, again, the "N" right now is pretty small, but the typical thing is my supervisor didn't realize that I was good at "x" and now they're giving me that kind of work. So, again, competency-based may not be the right approach for 18-year-olds. They have a whole coming of age thing that's going on, but it seems to work pretty

well so far with adults.

DR. MITCHELL: And, John, I think from our point of view, we don't believe, to Paul's point, we don't believe that competency-based is a magic bullet or that it works in all circumstances. And so as we're putting together the range of institutions, we're trying to develop a range of use cases that will help us understand where it has a bigger positive difference, where it might be neutral, and we hope it doesn't happen, but where there's actually a negative relationship.

Each of the experiments that we're doing has its own evaluation protocol, and depending on the kind of intervention, it ranges all the way from RCT work to case studies so we're trying to be open-eyed and vigorous in creating enough use cases that we can start to make some sense of it to the field in policy terms.

Thanks. Art.

MR. ROTHKOPF: I'd like to start out by commending the Department for picking up many of the items that we have put in to our two NACIQI

reports. Some of us would like the process to go much further, but, you know, there's another day coming. And in that regard, I think the College Scorecard is a great step in that direction, and I would really hope that as you get more data and more opportunity to put information out there, I think that's to the great benefit of students and their parents as to what they can look forward to.

I guess I'd also say I think you might have been more aggressive although, as I'm no longer a lawyer, I would say there are some things that you put to Congress that hopefully you might have been able to do by executive action, but so be it.

One area where I've felt, and I don't know if the Department has gotten into this issue, is the fact that colleges and universities are giving such a large amount of so-called merit aid, much of which is really not based on academic merit but on all sorts of extraneous factors including attracting more students.

Have you given thought, has the Department

given thought, to doing things that encourage more need-based aid? Institutions, in some ways, it's a bully pulpit issue, but it's one that I think is very important to increase access. I have to say I also think some of these credits that we give for people, for students to go to college who do not need the money is a bad thing. That's kind of related to it. We're putting an awful lot of money into tax credits for going. I know it's politically popular, but, on the other hand, I think it does take away money that could otherwise go to Pell grants.

So on the whole subject of need-based aid, is there some way in which the Department--they can't compel anything, but could you be, the Department, and maybe even the President get into this as a bully pulpit?

DR. MITCHELL: Jamiene and I are smiling at each other because I think you've just described the next year of our work.

MR. ROTHKOPF: Well, good.

DR. MITCHELL: Look, if higher education

is going to continue to be the engine of opportunity and a force for social justice and equity in society, we need to make sure that there is room for low-income students, first-generation students, minority students, and there are troubling signs that that's getting harder and harder.

We certainly don't want to exacerbate the problem, and we want to encourage institutions to do the right thing, not only by admitting those students but by making sure that the resources, both financial and people resources, support resources, are there for those students to succeed.

So the first step, as you say, is to make sure that institutions are working to develop need-based aid programs that have real muscle to them. And we think that here in addition to the bully pulpit that the kind of transparency that you described being a benefit of the Scorecard, that kind of transparency is one of the vehicles that we can use.

So Pell completion rates are an important

indicator of an institution's commitment to seeing students into the institution and through the institution. And getting better data about Pell completion is a high priority for us, and we want to make sure that we do that, and that we make those data available.

One of the reasons we made our net price calculator divided by income decile is that on the other side, we wanted to surprise students with some of the counterintuitive facts of very high sticker prices at some institutions actually translating to remarkably low prices for families with financial need.

So we think that more visibility about what price, the relationship between sticker price and net price is important. We think that students need to know and institutions ought to confront, and trustees and presidents ought to look at, that Pell completion number and ask are we doing enough? Should we do more? How can we do more? How can we balance our need-based and merit-based aid program in a way that provides better access and a more

substantial pathway to success for those students.

So thanks for raising it. Jamienne.

MS. STUDLEY: Can I just add one quick-- I'm very much on the same track as you are, and I think those are really important points, Arthur. Just a vote from the field. The hopes that Ted just described actually seem to be taking some shape, and we hope to encourage more of it. I've heard instances of schools that have said that as they look at--what we want to get is competition on the right things, not competition on things that go in the wrong direction.

And schools that have looked at their Pell completion rates, as Ted said, and said why isn't ours higher; why isn't ours as good as somebody we thought was a peer in other ways? And that brings back the question, how can we improve that, which is the kind of driver of institutional behavior that we want.

In order to win in the competition about the lowest net price for the lower quintiles, an institution would very logically say where is our

money going; what are we doing with our financial aid money if this is the thing that is going to be measured because it's policy significant? How can we do better? And the answer will often be move the money from merit, which is scattered, to a focus on the lower quintiles, and I had the opportunity to use that bully pulpit and do a piece for Trusteeship magazine.

I think you would agree with our thinking that trustees have an important part to play in making those policy choices about what directions they want to go and what they want to measure and pursue at their schools. So we'd love to continue to do that with you.

MR. ROTHKOPF: Yeah, I might say, without naming it, I'm on the board of a university which has moved from like 75 percent merit aid ten years ago to maybe 20 percent merit aid in order to bring in more first-generation students, more Pell eligible students, and they're up over 20 percent now, and that's where the money is going, and I'd be glad to share that, and you may want to talk to

them as a model of what can and should be done.

It's a combination of the president, the provost and the board saying this is what's important.

DR. MITCHELL: Great. We'd love to follow up. In addition the bully pulpit, one last note. Those of you who have followed the President's budget proposals over the last several years know that in addition to just urging institutions to do the right thing, we have proposed a Pell bonus in the budget that would reward institutions that have success in doing this and help provide more resources from the Federal government to put into that project. We're rewarding institutions that are moving, bringing Pell eligible students on to campus and succeeding at moving them through the program.

Please.

MR. BROWN: As you know, Senator Bennett and Senator Alexander have been working on a way of simplifying FAFSA, if that's humanly possible. What are your thoughts on that, and have they

worked with you at all in that area?

DR. MITCHELL: Happy to say we have very good relationships with both Senator Alexander, Chairman Alexander, and Senator Bennett, and so we do talk often about these issues.

I'm quite pleased that just this year we've made two, I think, incredibly important steps with FAFSA to try to lower that barrier for low income, low income and particularly first-generation families. The first move was, and we've talked about it in the field for a decade, to use a family's prior, prior year income on the FAFSA form and to do that automatically with a connection to the IRS so that families will not need to estimate their income, and then institutions importantly will not need to verify it.

It will all be automatic. It will be based on two years ago filed, stamped and sealed tax returns. So we think that that alone is a major not just simplification but modification of the process that will serve families well.

We continue to use, we continue to work on

the code behind the FAFSA to create ever quicker skip logic to make sure that the only questions that a family answers are the questions that are appropriate for them, and the questions that aren't appropriate for them disappear from the form all together. 98. something percent of families fill out the FAFSA on line, and so it's very easy for us to sort of mechanically tailor the FAFSA to the family.

The second important move that we've made is we have changed the date on which FAFSA is available. So currently FAFSA is available in January, and for a senior in high school, January is pretty late to start to know what kind of Federal aid you're going to be eligible for.

Starting next year, the FAFSA will be available on October 1, and so we're engaged in conversations with states and with institutions about all of us moving our packaging back into the late fall so that students as they're applying for colleges and making those important college visits and college selections have some understanding of

what kinds of public funds at the minimum would be available to them.

So we think that those moves are entirely consistent with the overall goal of making/ applying for financial aid as simple and straightforward and as useful as possible.

DR. SULLIVAN ALIOTO: I'm very pleased to see this publishing key student and institutional metrics for postsecondary institutions arranged by accreditors because in our deliberations we have been told that the student loan information is somewhat separate from what kinds of decisions we should be making, and some accreditors are not including that information in their presentations or their analyses of institutions.

So has that changed? Is the Accreditation Unit and NACIQI and the Federal Student Loan coming together a little more and not being quite as siloish?

DR. MITCHELL: That's a great question, and that's certainly our hope, is that accreditors will have access to a full range of information

about institutional performance on a wide range of indicators. But I think it's important to remember that in this process, there are lanes, and the lane that we count on accreditors traveling is academic quality, and we hope that that conversation will turn more and more to questions of the outcomes for students. But accreditors need to have available to them a wide range of information about institutional performance.

DR. SULLIVAN ALIOTO: I guess the question is if somebody ends with \$150,000 in debt, is that really a great outcome?

DR. MITCHELL: We may be here now till noon.

[Laughter.]

DR. MITCHELL: So it is--

DR. SULLIVAN ALIOTO: I mean I understand what you're saying, but what is an institution training a student for?

DR. MITCHELL: Right.

DR. SULLIVAN ALIOTO: And what are our rules--

DR. MITCHELL: Right. Right.

DR. SULLIVAN ALIOTO: --doing?

DR. MITCHELL: Which is why in our executive action we want to be sure that when accreditors look at that question, they look not only at the average debt that a student leaves the institution with, but the repayment rate, and it's that combination that ought to give an accreditor pause if it looks skewed.

It's that combination that ought to give a family pause if they're considering sending a family member to that institution. So I think it's--and to the point I think behind your question, it's, if we focus just on one variable, we're not going to get a rich picture of the institution. So the more information that's available, the better accreditors can make their decisions, and the more we can exchange information about, particularly about schools of concern that we think, accreditors think, others think, are risky endeavors.

Whether it's because of the financial

instability of the institution, bad student outcomes, potential misdeeds, all of that is information that needs to be in front of all of us as we travel our individual lanes and make the decisions based on the part of the work that we're doing.

Ralph, I think you get the last question.

MR. WOLFF: I want to focus on the outcome section of your remarks and your paper, but I also, if I may comment, you just made a comment about--or respond--that the lane of accreditors is academic quality, and I would just say it's integrity. I mean the standards actually call for a lot more, but I want to get at the issue the law, agree with you that to create a metric for learning outcomes is both illegal, if you will, and not appropriate by the Department or NACIQI. But let's, I'd like to talk about how do we engage the other outcomes?

The law does provide in the section on student achievement, course completion, placement rates, and licensure rates, and we're grappling with the issue of how to work with that data.

First of all, as your own Excel spreadsheet shows, that there are no clearly defined metrics amongst the regionals, but there are amongst the nationals and the specialized agencies.

So one of the questions that has arisen within our conversations with respect to regionals is are there areas where it is appropriate for us to engage, like addressing completion rates and how that is? And my own review of standards is that only one regional currently has it in their standards, and though we heard yesterday another will incorporate it, but then when we look at course completion, if we mean graduation and more broadly than a single course, I think it is a quite relevant area.

So there are some that have no specific attention to it as one looks at actions, and I'd like to get your comments on whether for those agencies, it's appropriate, but then we look at other agencies--we looked at some yesterday--that have a 50 percent completion benchmark or 60 percent placement rate.

And the question I think is it seems to have worked for them, but what is good enough? And what is our role? And I'd invite a dialogue--I mean it's not a single or a simple answer--but a dialogue about how we look at that in a developmental way as we move into this area of what is appropriate data and validation of these, and how do we work with those that don't have it? But you indicate in here you're going to give us more data and work with us, and I really would like to encourage that.

DR. MITCHELL: Great. And I don't--so I think that the family of issues that you raise, Ralph, both in general and in the specifics, are exactly the work that we want to do together to figure that out and come out the other end with a clear sense of how we want the regionals to think about outcomes, how we already can capture some of the--and by we, I don't mean the Department we, I mean the field--how we can already capture things like course completion and so on and what we do with that.

And importantly, this issue of thresholds and fidelity to the thresholds. It's not easy work, and if it were, it would have been done long ago. But I think that you've described nearly exactly the next phase in moving toward thinking about outcomes.

Susan, I know you wanted to say a couple of things.

CHAIRPERSON PHILLIPS: I wanted to give the last call, particularly a thanks to Ted for this very stimulating conversation and informative, but also give a last call to Arthur, who'd like to make a few words before we end.

MR. ROTHKOPF: Yeah. I just wanted to express the appreciation of this group to Jamiene for her superb leadership here. I was privileged to be her vice chair, and I think we worked very well together, and I think what's been created, and I think it's also true of Cam, who served as chair of NACIQI, that this group, which has the potential to be partisan because of the way in which we come to the table, has not been partisan.

I think it's been everyone looking to do the right thing and come to the right answer, and you wouldn't know where people were nominated or where their nominations came from when votes were taken. And, Jamienne, thank you for all that you've done. Thank you. And good luck back in San Francisco.

[Applause.]

CHAIRPERSON PHILLIPS: And thank both of you for coming and keeping us up to date on what the Department is doing and giving us some more challenges to wrap our minds around.

We will be taking up actually our policy agenda a little later this morning. I want to call a break now to transition. We'll be coming back and completing our agency review agenda, and again thank you very much.

DR. MITCHELL: Thank you, Susan, and thanks, everybody.

[Whereupon, a short break was taken.]

CHAIRPERSON PHILLIPS: Welcome back. A couple of housekeeping items before we resume our agency agenda, just to give you a preview of the remainder of the day. We will have three agency reviews. Depending on where that goes, we'll break for lunch and then come back and take up some of the questions that we began on Wednesday and were prompted to think about further by Mr. Mitchell.

If you have not ordered a lunch, you can do so by this form that you give to the staff. Members, if I could ask you to make sure to make note of the June 2016 meeting dates, which are in your folder. They're currently scheduled for June 23 and 24.

**MIDWIFERY EDUCATION ACCREDITATION
COUNCIL [MEAC]**

CHAIRPERSON PHILLIPS: And our first agency for review today is the renewal of recognition for Midwifery Education Accreditation Council. I don't believe we have any recusals for this item.

Our primary readers are Kathleen Sullivan Alioto and George French. I'm not sure which of you--George is not here so I'm guessing it is--

DR. SULLIVAN ALIOTO: Sorry. I thought I was this afternoon.

CHAIRPERSON PHILLIPS: --is Kathleen. Sorry. Give you a moment to introduce the agency, and then we'll come to the Department staff for their analysis.

DR. SULLIVAN ALIOTO: This agency is the agency regarding midwifery in America, and Rachael has gone and visited the agency, and that's the reason that it's on for us today. I apologize. I thought I was on this afternoon.

CHAIRPERSON PHILLIPS: That's quite all right.

CHAIRPERSON PHILLIPS: Rachael, continuing with the staff analysis for the renewal of recognition.

DR. SHULTZ: Good morning. My name is Rachael Shultz, and I will be providing information regarding the staff recommendation for the Midwifery Education Accreditation Council, or MEAC.

The staff recommendation to the senior Department official is to continue the agency's current recognition and require the agency to come into compliance within 12 months and submit a compliance report 30 days after the 12-month period that demonstrates the agency's compliance with the issues identified in the final staff analysis.

The staff recommendation is based upon its review of the agency's petition and supporting documentation as well as its observation of MEAC board meeting in Albuquerque, New Mexico, on October 21, 2015. There have been no complaints lodged against the agency during the current accreditation cycle and no written third-party comments were submitted regarding the agency's

petition.

Although the agency successfully addressed two compliance issues that were initially identified in the draft staff analysis, additional issues were added to ED's final analysis based upon the staff observation of the agency's board meeting.

These additional compliance issues were related to the agency's monitoring and evaluation approaches and its enforcement actions and time lines. At the board meeting, ED staff observed that annual report information was not being submitted by some institutions and programs in a timely manner, that some institutions and programs were not meeting the agency's requirements, particularly as related to outcomes measures, and that the agency did not appear to have a tracking system in place to ensure that programs and institutions demonstrated compliance with the agency's requirements within the required time frames.

And I would also like to note that in the

final staff analysis, I misquoted a number related to the agency's outcomes measures and their thresholds. I had mentioned a 50 percent threshold. That's not accurate. So to clear that up, I'd like to note for the record that their thresholds are 60 percent for retention, 40 percent for completion, and 70 percent for their pass rates. So I just wanted to add that.

Therefore, as I stated previously, the staff recommendation to the senior Department official is to continue the agency's current recognition and require the agency to come into compliance within 12 months and submit a compliance report 30 days after the 12-month period that demonstrates the agency's compliance with the issues identified in the final staff analysis.

There are agency representatives, both agency staff and board members, present today, and we will be happy to answer the Committee's questions.

Thank you.

CHAIRPERSON PHILLIPS: Thank you, Rachael.

Any initial questions for the staff? Kathleen.

DR. SULLIVAN ALIOTO: Rachael, would you mind sharing with the Committee your observations when you went to the meeting in October and November? And what caused you concern?

DR. SHULTZ: At the board meeting, the board as a whole was reviewing annual reports. The information had been compiled and was flashed on the screen. It was really well organized and laid out very clear and easy to understand.

There were two lead readers for each school or program, and they went through each report. My concern was that I kept hearing repeatedly that institutions either hadn't turned in material for the annual report or it had been left to the agency staff to try to gather the material to finish the reports for the programs and institutions.

I was also seeing instances where the information that had been submitted was falling below the thresholds, but they didn't seem to be taking any action, either tracking how long the

thresholds were not being met or taking any actions as a result of them not being met.

I had a concern that they kept mentioning that ED allows agencies to extend the time to come into compliance for good cause, but they didn't seem to be tracking it as to the 12, 18, 24 month requirement, and then adding the extension on to that. So I guess my concerns mainly come down to tracking--getting the information, then tracking it once it's received, but then having the collective will to take action against the programs and institutions if they are found lacking.

I kept hearing excuses for why it was okay that information hadn't been submitted, how difficult it was to get the information, and I think that this is a group that has a very nurturing culture, and that it's hard for them to be hard-nosed about some things. So I felt like they were having a hard time taking off the nurturing midwife's hat and putting on the more compliance focused accreditor's hat when they walked into the room to examine their schools. So

those are my, in summary, kind of the overall concerns.

CHAIRPERSON PHILLIPS: Other questions for the staff? Thank you, Rachael.

DR. SHULTZ: Thank you.

CHAIRPERSON PHILLIPS: I'd invite the agency representatives to join us. Welcome. If you could introduce yourselves and make your statement, thank you.

MS. RIDD-YOUNG: I think the hardest thing will be getting this mic situation down.

[Laughter.]

MS. RIDD-YOUNG: Good morning. Thank you, members of NACIQI, Director Bounds, and Dr. Rachael Shultz for the opportunity to present to you today. My name is Kristi Ridd-Young, and I am the former President of the Midwifery Education Accreditation Council and also currently serve as the Vice President of Outreach.

With me today--oh, by the way, I'm also the president of one of our midwifery education schools, the Midwives College of Utah, so obviously

I am from Utah, and that is one of our distance education accredited schools.

With me today are members of our staff. On my left is our outgoing Executive Director Sandra Bitonti Stewart, and on my right, far right, Tracy Vilella Gartenmann, who is our incoming Executive Director, and to our right, our Associate Director Karin Borgerson.

MEAC is the accrediting agency for direct entry competency-based midwifery programs and institutions conferring degrees and certificates throughout the United States, some of which are accredited as distance education programs and institutions.

We have a deep commitment to consistent and rigorous oversight of our programs, and we accredit those programs very seriously, taking serious intent, because we know that we hold the key to continued professionalization of midwifery in the United States.

The Midwifery Education Accreditation Council currently accredits ten institutions and

programs and is the gatekeeper for four institutions and programs who participate in Title IV.

Graduates of MEAC-accredited institutions and programs are eligible for national certification as certified professional midwives, and you might hear that term as CPMs. In the United States, we have CNMs and CPMs. Our graduates are eligible for the CPM credential, and the CPMs qualify for licensure in 27 states currently. Over the last three years, 100 percent of accredited programs and institutions have met our benchmark that a minimum of 70 percent of graduates who took that certifying exam passed the exam. Mean rates as assessed in most recent annual rates is 98 percent.

For the last three reporting years, 100 percent of accredited programs and institutions meet our benchmark that at least 50 percent of graduates go on to practice as midwives or work in a related field.

The mean placement rate as assessed in the

most annual reports is 95 percent. Many state licensing bodies specifically require completion of a MEAC-accredited program, including but not limited to California, Colorado, Florida, Wyoming, Minnesota and Washington.

Licensure legislation is currently pending in several states that will require graduation from a MEAC-accredited program. Graduates of MEAC-accredited programs are now reimbursed by Medicaid in many states, and since 2010, coverage is federally mandated for midwives working in birth centers. It's also interesting to note that in 2011, the ACOG workforce, which is the American College of Obstetricians and Gynecologists, noted the shocking statistic that in 49 percent of the counties in the U.S., there is not a single obstetrician.

There is a recognized need to expand the maternity care workforce, and midwives have been called upon to fill that gap.

MEAC standards and curriculum requirements were revised in 2013 to include many of the

recommended standards and competencies of the International Confederation of Midwives, which is a global organization working to ensure that midwives of all countries have effective education, regulation and strong member associations.

So today we are here to talk about the staff analysis that we received on December 9 of last week. The Midwifery Education Council has a deep commitment and long history of continual quality improvement, and as such, we have already begun to address several of the staff's findings and immediately began to plan further initiatives to enhance our work and bring MEAC into full compliance within the 12 months recommended in the staff analysis.

We do not contest the Department's recommendations although there are some clarifications we want to make to set the record straight.

I would like to ask Karin Borgerson, our Associate Director, to speak to some of the issues raised in the final staff report, particularly as

they relate to Sections 602.19 and 602.20. Karin.

MS. BORGERSON: Thank you, Kristi, and hello to members of the Committee and to Department staff. Thank you for having us here today.

My name is Karin Borgerson. I'm the Associate Director of Midwifery Education Accreditation Council. I am here to talk to you briefly about our compliance under 602.19 regarding monitoring and 602.20 regarding enforcement. As part of our monitoring approach, we require all of our programs and institutions to submit an annual report that includes a set of key indicators determined by MEAC that include measures of fiscal health, student success measures and enrollment measures as required under the regulation.

What Dr. Shultz came and observed was our board's discussion and deliberation of those reports for the most recent reporting cycle. All of our programs did submit information with the exception of one set of financial data that was missing from a school where the board reviewed unaudited financials because the school had not

presented the audited financials.

MEAC staff had engaged in attempting to follow up with the institution on that. The school was found lacking in its submission of materials, and in the board's final finding related to that report, the institution has been given 60 days to deliver those audits, and that report will be forthcoming early in the new year.

In terms of completion of the reports, I think that what may have resulted in Dr. Shultz's concern was conversation about work that our staff did to analyze and follow up with our schools on completion and retention data that our institutions and programs are required to provide.

We do have bright line measures around completion and retention, and require all of our schools to submit their data using a standardized set of forms that will automate the calculations of the completion and retention rates to ensure that we are consistent in how we apply these benchmarks across all of our programs and institutions.

And one of the things that our staff does

upon receipt of those submissions is to review them and identify any discrepancies in year-over-year submissions and work with the schools to follow up on that, on those issues, so that we can ensure that our board is reviewing complete and accurate information.

And we're very sorry to hear that that gave the impression that we were doing work on behalf of the schools to complete the reports. What we do is track down these discrepancies and work with the schools to make sure that all data discrepancies are resolved.

In terms of tracking any areas of noncompliance, we do maintain in our project management system a noncompliance tracking report that includes every benchmark that is found not met across all of our programs and institutions, the date that the program or institution was notified of their noncompliance, the expected date of compliance, whether or not we've granted a good cause extension related to that issue, and the date on which the next report is due, whether that

report is the final compliance report, or, as required in some cases by MEAC, an intermediate monitoring report even prior to the date upon which the program or institution is required to come into final compliance.

One of the actions that MEAC has taken in response to the feedback we've received from the Department is to clarify our language around our reporting requirements. Historically we had used the term "interim report" in some cases to refer to a final compliance report and in other cases to refer to a monitoring report prior to the date of the final expected compliance date, and we realized that that use of language may have resulted in a lack of clarity both for Department staff and for our programs and institutions.

So a change that we have already made and was included in the final board reports related to these annual reports is a clear distinction between those terms that we will employ going forward to make sure that there is no lack of clarity on the part of our agency, of the Department, or of any of

our programs or institutions on when MEAC is engaging in monitoring activity and when we are engaging in enforcement activity.

With regards to good cause extensions and time frames for compliance, all but one of our programs and institutions falls under the two-year rule based on program length. And we do enforce that. The complicating factor that came up in conversation and the only cause for which we have granted good cause extensions relates to our completion and retention benchmarks.

There is a technical issue in how we calculate that information because we do use a three-year average of historical data for which we've got complete data, meaning that as we define those benchmarks, the program or institution, we look at cohorts of students that have reached the stated time frame for that program for our retention benchmark and the stated maximum time frame for our completion benchmark.

The use of historical data does mean that in some cases regardless of corrective action that

a program or an institution takes, those improvements would not be reflected in the data as we measure it in a timely fashion. We had as of the time of our petition and as documented in our petition granted three good cause extensions for this reason, and in the annual reports that we reviewed at this meeting, we had a number of findings of noncompliance related to completion and retention.

Among those new findings, 40 percent of those we anticipate needing a good cause extension because of the technical design issue with our benchmark as written and how those calculations are done, meaning that regardless of any action the program or school takes, those improvements would not be reflected within the two-year time frame, and we don't think that any of our programs or institutions should be penalized for that technical issue in our standards are written.

The other 60 percent are not subject to that, and we are expecting them to come into compliance and to demonstrate that compliance

within the usual time frames. So it's only those 40 percent that are tied to that technical issue, and that technical issue we recognize is something that we would like to resolve in our next revision of our standards, which we are just getting ready to embark on, and so we will be reviewing that so that we can take that issue out of consideration. In the meantime, we are obligated to enforce our standards as written.

Is there anything that I've left out that you wanted me to address, Kristi?

MS. RIDD-YOUNG: No. Great.

MS. BORGERSON: Thank you very much. I'm happy to handle any questions at the end of our presentation.

MR. BOEHME: Any questions for Karin before we move on?

CHAIRPERSON PHILLIPS: Please go ahead.

MS. RIDD-YOUNG: Okay.

CHAIRPERSON PHILLIPS: We'll come back to questions in a bit.

MS. RIDD-YOUNG: We are concerned that

NACIQI may have an inaccurate impression of our board and process. The MEAC Board is very responsible, sincere, deliberate and cognizant of the need to ensure a program or institution's due process rights are honored as the Department of Education requires and that all schools are treated in a fair and consistent manner.

And we are midwives. We do midwife our schools, but we also take this accreditation responsibility very seriously. This means that decisions are not made lightly, often require significant discussion and a measured approach that permits adequate notice of deficiencies to the program or institution and an opportunity to provide meaningful responsive information to the board.

The MEAC Board takes great care to recuse board members from any discussion for which they have a potential conflict of interest in accordance with our ethics policy, which is signed by every member of the board and staff.

We fully embrace the work of quality

assurance and improvement and appreciate the feedback that we have received from our staff analyst at our site visit and in the written report. We appreciate your careful consideration of our petition for continued recognition. We have taken the staff's observations and recommendations very seriously and, as noted above, have already taken immediate corrective action to address the findings that could be remedied in the near term.

As board members, we'll continue to work diligently with the staff over the next year to remedy to the two compliance issues that were noted in the final analysis and look forward to submitting our compliance report.

CHAIRPERSON PHILLIPS: Thank you very much. Questions for the agency representatives? Thank you so much for joining us.

Opportunity for the staff to respond? Okay. No need for that.

We would be at this point--there are no third-party comments that I'm aware of--ready to entertain a motion, discussion and vote.

DR. SULLIVAN ALIOTO: I'd like thank Dr. Shultz for her diligent work on this matter and these wonderful people for their commitment to mothers and babies in America, and I would also like to move that NACIQI recommend that the midwife agency be recognized and continued, to permit the agency an opportunity to within a 12-month period bring itself into compliance with the criteria cited in the staff report, and that it submit for review within 30 days thereafter a compliance report demonstrating compliance with the cited criteria and their effective application. Such continuation shall be effective until the Department reaches a final decision.

CHAIRPERSON PHILLIPS: There's a slight modification of that on the screen. Does that look accurate to what you were intending?

DR. SULLIVAN ALIOTO: Yes. Rachael? Yes.

CHAIRPERSON PHILLIPS: Do we have a second?

MR. O'DONNELL: I second.

[Motion made and seconded.]

CHAIRPERSON PHILLIPS: Thank you. That's Rick. Any discussion? Moving forward to a vote, those in favor of the motion?

[Show of hands.]

CHAIRPERSON PHILLIPS: Those opposed?

[No response.]

CHAIRPERSON PHILLIPS: Abstentions?

[No response.]

CHAIRPERSON PHILLIPS: Motion carries.
Congratulations. Thank you very much.

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**MONTESSORI ACCREDITATION COUNCIL FOR
TEACHER EDUCATION [MACTE]**

CHAIRPERSON PHILLIPS: We'll move to our next agency for review. This is a renewal of recognition petition on behalf of the Montessori Accreditation Council for Teacher Education.

I don't believe that we have any recusals for this item. Our primary readers are Roberta Derlin and Paul LeBlanc. I'd invite you to introduce the agency to us.

DR. DERLIN: Bobbie Derlin. The Montessori Accreditation Council for Teacher Education was first recognized by the agency in 1995 with subsequent recognition in 2010.

The Council accredits Montessori teacher education institutions and programs throughout the United States, including those offered via distance education, and I will refer and shift the discussion of specifics related to this report to Mr. Porcelli.

MR. PORCELLI: Thank you. Good morning. I am Steve Porcelli of the Department's Accreditation Staff.

The staff recommendation to the senior Department official regarding the Montessori Accreditation Council for Teacher Education, or MACTE, is to continue the agency's current recognition and require the agency to come into compliance within 12 months and submit a compliance report that demonstrates the agency's compliance with the issues identified in the staff report.

The staff recommendation is based on our review of the agency's petition, supporting documentation, and observation of a MACTE decision-making meeting.

Our review found that MACTE is substantially in compliance with the Criteria for Recognition. However, there are three issues that the agency needs to address.

First, the agency needs to provide its entities with a detailed written report that consistently assesses the institution's or program's performance with respect to student achievement.

In addition, MACTE needs to ensure that

its site visitors are consistently verifying the accuracy of the student achievement data that they receive, and that they are adequately trained to consistently verify the accuracy of that data.

Next, the agency needs to effectively analyze the monitoring data it collects from its schools to assess their continued compliance with MACTE standards, specifically including their financial and student achievement information.

And, finally, MACTE needs clear policy for extending the period for coming into compliance with an agency standard when the school had previously been cited for being in noncompliance.

In addition, the agency needs to provide some guidance regarding the potential circumstances that might result in a limited extension for good cause.

The Department received no written complaints regarding MACTE during this review period and no third-party comments in connection with the agency's petition for continued recognition.

Therefore, as stated earlier, we are recommending that the senior Department official continue the agency's current recognition and require the agency to come into compliance within 12 months and submit a compliance report that demonstrates the agency's compliance with the issues identified.

And there are representatives of the agency here today.

Thank you.

CHAIRPERSON PHILLIPS: Thank you, Steve. Any questions initially for staff?

DR. LeBLANC: Steve, I would observe that during the last couple of days, we had at least one significant conversation with an agency that at best gave us grudging acquiesce on the sort of issues that were raised.

Can you say a little bit about how the agency in this case received the recommendations?

MR. PORCELLI: Yes. We've had a long very cooperative relationship with MACTE, and they welcomed actually our findings so that they can

improve their processes so I think you'll find a night and day difference there.

DR. LeBLANC: Thank you.

CHAIRPERSON PHILLIPS: Thank you. Let me invite the agency representatives to join us. Welcome.

DR. PELTON: Madam Chair, NACIQI Committee members, thank you for the opportunity to speak before you today. My name is Dr. Rebecca Pelton, and I'm the President of the Montessori Accreditation Council for Teacher Education, and I am joined today with my colleague, Cassie Bradshaw, who is the Vice President for Accreditation.

First, I would like to begin by thanking our analyst, Steve Porcelli, for his thorough and tireless work during the renewal of our recognition. His feedback has not only been constructive, but he challenged us to be better.

Since taking the position with this organization in 2011, my staff and I have been working to improve and recreate a positive atmosphere around the accreditation process while

reinforcing the importance of collecting data for use in demonstrating student achievement and using this information for improvements and verification of quality in our programs and institutions.

We agree with the findings and recommendations, and we are grateful to have the opportunity to improve our organization in the areas stated in the final staff report.

I believe this comprehensive process will help our efforts and we'll be able to submit our compliance report to you within the 12-month time period. With that, we are open to questions.

CHAIRPERSON PHILLIPS: Thank you.
Questions for the agency? Bobbie.

DR. DERLIN: Welcome. Thank you for coming.

You referred to standards for student achievement, and as you've heard in some of the other presentations, these can be established in various ways. I'm wondering if you could just share with us, since this is an area of interest for our Committee, how you determine what your

standards for student achievement will be?

DR. BRADSHAW: Good morning. My name is Cassie Bradshaw, and I just wanted to thank the members of the Committee and the Department staff for having us this morning.

Establishing student achievement outcomes. So largely we actually put that into the hands of our institutions and programs. We opened up the process for them to have an opportunity to speak through their self-study process and the interim reporting process to us, you know, how they, what their student learning experience is, how they assess that learning experience, and then obviously we follow up with the postgraduate outcomes that we require from our programs to provide data on.

DR. DERLIN: Thank you.

DR. PELTON: Let me just add to that. So we give them a framework. We say they have to talk about we call them quality principles. So they have to give evidence that their students have learned the information that they've been taught. So that's quality principle one. And we give them

an opportunity to show all the assessments because each of the programs would have different assessments that they use.

CHAIRPERSON PHILLIPS: I'd like to add one more question on that. The outcome, the after-graduation outcomes that you asked to track include what?

DR. BRADSHAW: So the outcome assessments that we track are the graduation rates or the completion rates, the placement rates, and then we also follow up with their employer evaluation surveys that the program distributes and collects.

CHAIRPERSON PHILLIPS: And what do you do with the information that you gather?

DR. BRADSHAW: Well, the first thing we do is we ask the programs what they do with the information that's gathered. So we look at their response in terms of how they're using that data for program improvement.

What's unique about Montessori is that many of the adult learners in these programs are already employed when they embark on the training.

So placement rates really are always high for our organization just because there's such a high demand for these teachers. The training centers--there's not enough of them. So when the graduates are going--when students are going through the programs, they're typically already in a school setting. They're already teaching, and more often than not, the schools are sponsoring their teachers to go through our training programs.

Similar to graduate rates, we don't typically have issues in terms of low, you know, low graduation rates, but, you know, we look at, we look at this data in our annual reporting. If there's programs that seem to have a low cycle--a lot of them run multiple cycles in a year. For example, a summer-intensive and a year-long. So we have different opportunities to look at their graduation rates.

We ask for feedback from that program. Why they might be low? You know what's causing this? Does that answer, help answer?

CHAIRPERSON PHILLIPS: Thank you.

Other questions for the agency? Thank you so much for joining us.

DR. PELTON: Thank you.

CHAIRPERSON PHILLIPS: Staff, any response to agency?

MR. PORCELLI: No, thank you.

CHAIRPERSON PHILLIPS: Thank you. We don't have any third-party comments so that leads us to opportunity for a motion to be considered.

DR. LeBLANC: Yeah. I'll move the staff recommendation which is up on the screen. Yeah. Continue the agency's current recognition, require the agency to come into compliance within 12 months, submit a compliance report 30 days after the 12-month period that demonstrates the agency's compliance with the issues identified in the report.

CHAIRPERSON PHILLIPS: And so we have a second?

DR. DERLIN: Second.

CHAIRPERSON PHILLIPS: We have a second in Bobbie?

DR. DERLIN: This is Bobbie. I will
second.

[Motion made and seconded.]

CHAIRPERSON PHILLIPS: Any discussion?
Moving to vote, those in favor of the motion as
stated?

[Show of hands.]

CHAIRPERSON PHILLIPS: Those opposed?

[No response.]

CHAIRPERSON PHILLIPS: Abstentions?

[No response.]

CHAIRPERSON PHILLIPS: Motion passes.
Congratulations.

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**OKLAHOMA DEPARTMENT OF CAREER AND
TECHNOLOGY EDUCATION [ODCTE]**

CHAIRPERSON PHILLIPS: Shifting to our final agency for review, this is the public postsecondary vocational education renewal of recognition of the Oklahoma Department of Career and Technology Education.

I don't believe we have any recusals for this item. Our primary readers are Bill Pepicello and Federico Zaragoza. If I could invite one of you to introduce the program to us.

DR. PEPICELLO: Yes, I'll be happy to do that. The Oklahoma Board of Career and Technology Education is recognized for the approval of public postsecondary vocational education programs offered at institutions in the State of Oklahoma that are not under the jurisdiction of the Oklahoma State Regents for Higher Education.

The ODCTE is vested with the power to govern and establish criteria and procedures for 29 technology center districts encompassing 57 campuses across the state. And approval enables the technology centers to receive funding under

Title IV as well as under other Federal programs related to vocational education.

There's a bit of a context with the recognition history so I'll ask the Committee to bear with me for a moment. The ODCTE was first recognized in 1976. The agency's last full review was considered at the Fall 2011 NACIQI meeting, and at that time the agency was requested to submit a report on certain compliance issues at the Fall 2013 NACIQI meeting.

That report was submitted as requested, but due to the director's retirement, the agency was granted an extension for good cause and requested to submit an additional report on two remaining compliance issues. That report was considered and accepted at the Fall 2014 NACIQI meeting, and the agency was granted continued recognition for a period of one year.

The agency subsequently submitted its next full petition for renewed recognition, which is the subject of the current staff analysis.

Thank you.

CHAIRPERSON PHILLIPS: Thank you very much.

Rachael, staff report.

DR. SHULTZ: Good morning. My name is Rachael Shultz, and I will be providing information regarding the staff recommendation for the Oklahoma Department of Career and Technology Education, or the ODCTE.

The staff recommendation to the senior Department official is to continue the agency's current recognition and require the agency to come into compliance within 12 months and submit a compliance report 30 days after the 12-month period that demonstrates the agency's compliance with the issues identified in the final staff analysis.

The staff recommendation is based upon its review of the agency's petition and supporting documentation, as well as its observation of an ODCTE Board meeting in Oklahoma City on November 19, 2015. There have been no complaints lodged against the agency during the current recognition cycle, and no written third-party comments were

submitted regarding the agency's petition.

Staff notes that the ODCTE has been in the midst of a process of modifying its program review model and is currently in a pilot project that is based upon the Baldrige Performance Excellence Program. A number of the concerns identified in the draft staff analysis were related to the agency's use of materials specific to and dictated by the Baldrige model.

However, as a result of feedback received during its pilot project, the agency has now developed a hybrid model that incorporates elements of both the Baldrige model with elements specified in a state Accreditation Guidelines document that has been developed by and is under control of the ODCTE, and because of this, this has alleviated the most serious staff concerns that were identified in the draft staff analysis.

At this point, most of the staff concerns are related to the on-site review process and the need for additional information related to the agency's process and procedures, as well as the

need for additional information and documentation related to how the ODCTE actively obtains feedback from its constituencies regarding its standards, processes and procedures.

Therefore, as I stated previously, the staff recommendation to the senior Department official is to continue the agency's current recognition and require the agency to come into compliance within 12 months and submit a compliance report 30 days after the 12-month period that demonstrates the agency's compliance with the issues identified in the final staff analysis.

There are agency representatives present today, and we will be happy to answer the Committee's questions. Thank you.

CHAIRPERSON PHILLIPS: Thank you, Rachael.

Initial questions for staff? Bill?

DR. PEPICELLO: Yeah. Would you say that the issues that were identified would fall roughly into two categories, one of which would be a request for more information and documentation on some of the processes as they currently exist, on

the one hand, and, secondly, on the integration and transition to a system that incorporates the Baldrige criteria?

DR. SHULTZ: Yes. We were, we were really pleased with the old model because it was totally under the control of the state. Then as the agency started coming in with its most recent reports, we started hearing them talk about the Baldrige model, and we had real concerns that a lot of the Baldrige materials are proprietary and are not under the control of the state, could not be changed by the state.

So we mentioned these concerns in the draft staff analysis, and then between the draft and the final and when I made the trip to Oklahoma City, we heard more about the hybrid model that they have developed as a result of feedback that they've gotten about the pilot project during the last academic year and the current academic year, which I believe had about 14 schools in it.

I also learned that the Baldrige model had been specified before the current director had come

on board. So this is something that I think they inherited. At whose direction, I do not know. But I think that they realized that it was not going to be acceptable, that so much of the Baldrige model was not specific to education or vocational education or Oklahoma vocational education, and so they started working very hard to take certain elements of the Baldrige model and meld them with elements from the previous state guidelines, which is what they've done.

However, this is the second year of the Baldrige model so they're still in the pilot project. We have questions about how much of the state guidelines are going to be combined with the Baldrige guidelines and how that's going to look when the hybrid model takes effect next school year. So the hybrid model isn't really in effect yet. So I would hope that in the report that they would give us a lot more information about the hybrid model and how the state is maintaining control of its own standards and processes and procedures and also how they are going about

obtaining feedback from the appropriate constituencies regarding their standards which would not have been possible under the Baldrige model since they didn't own it.

So those would be the issues that we would identify for the upcoming report.

DR. PEPICELLO: Okay. Thank you.

DR. ZARAGOZA: Madam Chair.

CHAIRPERSON PHILLIPS: Yes.

DR. ZARAGOZA: In reading the Baldrige documents, again, they seem to be aligned to the Baldrige criteria which is not necessarily aligned to the Secretary's standards in all cases. So I'm assuming the hybrid model is going to tend to do that alignment? Is that--

DR. SHULTZ: In looking at the new Accreditation Guidelines document, it seems to draw heavily upon the previous state guidelines document so it would by my hope that it would perhaps be more skewed towards the state process and requirements as opposed to the Baldrige.

DR. ZARAGOZA: I see. Okay.

DR. SHULTZ: But I'm not sure at this point how that's going to balance out.

DR. ZARAGOZA: Okay. And so the other group I guess that's been mentioned in the report was the--so you've got the pilot group, and then they're going to be going to this Baldrige conversion. So what's happening to the other technical schools that are not part of the Baldrige pilot?

DR. SHULTZ: It's my understanding that all of the schools will be under the hybrid model after the Baldrige project ends this school year. But the agency can verify that.

DR. ZARAGOZA: Right. I saw the--

DR. SHULTZ: I think that everyone will be under the same model after this year.

DR. ZARAGOZA: Right. They provided a schedule for that, and it appears that the schedule is staggered so some of the schools would be in kind of like training technical assistance stage, not implementation. So what's happening if they're not implementing at that point in terms of the

Secretary's criteria?

DR. SHULTZ: That is something that we would like for the agency to address. I'm not sure of the answer to that.

DR. ZARAGOZA: Thank you.

CHAIRPERSON PHILLIPS: Any other questions of staff at this point? Thank you, Rachael.

I'll invite the agency representatives to join us. Welcome.

DR. MACK: Good morning, Madam Chair and Board. Thank you for the opportunity to speak with you this morning, and thank you, Dr. Shultz, for helping us through this process.

As mentioned in the overview, we were accredited in 2011. In 2013, it was announced that the agency would be doing a pilot project, and in that project, they would utilize the tool of Baldrige still meeting the accreditation guidelines but using the Baldrige as a tool. In that process, the first year after that, schools were asked to volunteer to be a part of that pilot project. We had some schools that volunteered to do that

because it was in their five-year cycle.

None of these schools have been taken off of their five-year cycle. They have still met that requirement as they move forward. If they chose not to be in the pilot, they followed the state guidelines that were first started in 1976. So they were still within the state guidelines in the accreditation piece for that.

And Dawn Lindsley, who is with me here today, is the Accreditation Coordinator. She had the opportunity to come into this process after it was announced as well, and so as we've worked through this process and continuing to move forward through the pilot, we made sure that we received the feedback from the individuals who went through the pilot, from the stakeholders, and making sure also that the board, that it is meeting the guidelines for which they set forth. That's why it was deemed as a pilot and not required of all of the areas.

We are working through that process. The board had finished the evaluation of the pilot

process. We did the first evaluation this September. In October, they approved standards specific to feedback from the original model and for the pilot to make sure as we move forward it is an instrument for which the state board knows that it will meet the guidelines that are set forth for it is a tool for which they have complete authority over and they can make sure it is meeting the guidelines for which they want to hold the institutions, the Oklahoma technology centers, accountable for in the accreditation process.

We are in that process. We have through the recommendations that have been provided in the guideline piece for our current guideline, we have already made those modifications that Dr. Shultz has provided on some specifics in our guidelines as we move forward.

The other areas that are listed here and providing the support documents specific to the on-site review, we have that information, and we'll make sure that we upload and share that information so that we may come in compliance with the request

that has been presented. And we'll be happy to answer any questions that you may have.

CHAIRPERSON PHILLIPS: Thank you very much.

DR. MACK: Thank you.

CHAIRPERSON PHILLIPS: Questions for the agency? Kathleen.

DR. SULLIVAN ALIOTO: What is the Baldrige model? What does it do and what's the difference between that and the hybrid? Hybrid I assume is both distance plus classroom and technical work? What is Baldrige? What is that?

DR. MACK: The Malcolm Baldrige--

CHAIRPERSON PHILLIPS: Mic, please.

DR. MACK: Welcome to the button at the mic. I got that. The Malcolm Baldrige tool is the one that was recommended to fold in more continuous improvement pieces to that. That was the tool that was previously recommended to look at as a pilot. Would it meet the accreditation guidelines and be able to provide that information?

In the hybrid model that we have, with the

information that we had in our met/not-met standards, specific areas for our rubric that we utilized in our model that was approved in 2011, it brings all of those characteristics and then also the areas for which we could align those specific standards out of the Baldrige tool. Some of those particular characteristics will be in the hybrid as we move forward to strengthen our accreditation tool as we move forward with accrediting the technology centers in Oklahoma.

CHAIRPERSON PHILLIPS: I have Simon.

MR. BOEHME: Hi. Thank you for coming.

Your six-year Pell completion rate is frightening. There is not a single school that goes above 50 percent, and, alas, not all the data is there, but, for example, Kia--

MS. LINDSLEY: Kiamichi.

DR. MACK: Kiamichi.

MR. BOEHME: Kiamichi Technology has a five percent completion rate at all of its different campuses, 11 percent at Indian Capital, and, you know, many people who receive the Pell

completion rate obviously are students who the Department is trying to support, and we're trying to ensure all resources are there for them.

But when I look at this data, and obviously this provides a very limited scope, I'm just curious how the accrediting agency is looking at this data and if you guys were even paying attention to some of this information?

DR. MACK: In how we look at the completion data, each year, all of the technology centers on completion rates, that is obtained. Our statewide average for completion rate is 93 percent positive placement across all of technology centers, which includes continuing education. It includes if they go into military or directly into employment.

So those are the variables that we look at on a yearly basis as that is related to each of the completers throughout the technology centers, and that is on a yearly basis.

MR. BOEHME: But do you look at the Pell completion rate?

DR. MACK: The Pell completion rate specifically to each institution, that we do not have that specific metrics in their yearly follow-up reporting that they do on each student as they do that report six to eight months from their completion of their program.

MR. BOEHME: Do you see yourself in the future starting to look at the six-year Pell completion rate, especially since it's publicly available, and it doesn't look extremely flattering?

DR. MACK: It would be a variable that would bring great data and be able to tell if there's ways that we can help individuals if it is reflected accurately or if those are individuals who are continuing their education and then applying for their Pell at a higher ed institution where they may have a prior learning assessment since we are non-degree-granting institutions.

MR. BOEHME: Right.

DR. MACK: So it would be a great variable for us to look at to make sure that it truly is

reflecting the completion of individuals who have attended the technology center.

MR. BOEHME: And when the standards are set by your accreditation agency, is there anything that involves questions when site teams go out to ensure that there are support networks, that there is adequate completion of some of our most vulnerable students?

DR. MACK: Yes. Dawn, you want to--

MS. LINDSLEY: We have two standards in the new hybrid model that will address some of those things. One is our support services and how they work with our students to give them the support that they need. We also have a compliance piece within our operation standard that specifically deals with educational equity, nondiscrimination, and financial aid.

MR. BOEHME: So your accreditation agency uses explicit language that either refers to Pell recipients or vulnerable students or at-risk students, or is it just fairly boilerplate generic language?

MS. LINDSLEY: Pell, yes. I would have to go back and look at the specific language. We use "nondiscrimination." "Vulnerable student," I don't know that we use it in exactly that language.

DR. MACK: Our definitions for those, and we do collect the data on this on an annual basis, is our "disadvantaged students," "non-traditional students." Those are areas for which we do have specific language and performance areas for which we look at.

MR. BOEHME: I think that in this hybrid model, and I'm looking forward to seeing how it plays out depending on whatever we vote on, it seems as though you'll obviously come before us, and if not in five years, regardless. But I think that that would be very advantageous for your organization and could certainly support many at-risk or non-traditional vulnerable Pell recipient students.

Thank you, Madam Chair.

CHAIRPERSON PHILLIPS: Thank you. I have Federico and Bill.

DR. ZARAGOZA: Full disclosure. Alamo College is going on the Baldrige journey, and we've been on it for five years. So we're very sensitive to kind of the continuous improvement and the qualitative side to the discussion.

At the same time, how do you balance kind of the Baldrige program improvement philosophy and processes with the compliance requirements of accreditation?

DR. MACK: In the outline of the hybrid model, that is, that is where we're looking to provide that balance to the standards and the compliance. We do want continuous improvement but, as specifically stated, to meet the minimum criteria for which is required.

We do have outside of accreditation one of the opportunities that we provide and one of the opportunities that we highly encourage with all of our technology centers are professional development in various areas specific to continuous improvement. We have technology centers who are certified. We have some who have just been

awarded, in Oklahoma Baldrige areas, we have some with ISO-9000, various other continuous improvement models that they do outside of the accreditation piece because we want to make sure--those are important, but we also want to make sure that we are hitting all of the exact areas that we need for compliance throughout the accreditation piece.

DR. ZARAGOZA: Yeah, and I'd be very interested in how you balance category seven, results basically, with some of the discussion I'm sure you've heard the last couple of days, but how you reconcile those requirements.

DR. MACK: In each of the areas that we've outlined in the hybrid, each of the areas, as you talk specific to Baldrige, each of those require results, and then in system impact, one of the standards in there, that is the results not only as they are specifically to that technology center, but how they compare to this system and what impact that has and where they are at, and then how they--where that guideline will be for them to move forward.

CHAIRPERSON PHILLIPS: Bill. I have Bill and Anne.

DR. PEPICELLO: Okay. I'd like to, if I might, get some clarification on the model. So is the pilot project as you have described it going to be abandoned?

DR. MACK: Yes, the pilot project that we have will--it was a pilot.

DR. PEPICELLO: Right.

DR. MACK: And it is done.

DR. PEPICELLO: All right. So the current system then will be replaced by the hybrid model?

DR. MACK: Yes, sir.

DR. PEPICELLO: Okay. In the meantime, people will continue to work under the current except for those who are in the pilot?

DR. MACK: Yes, sir.

DR. PEPICELLO: Okay. So there are currently two systems in effect?

DR. MACK: Yes.

DR. PEPICELLO: Okay.

DR. MACK: Yes.

DR. PEPICELLO: And eventually there will still be two systems, but there will--or will everyone be under the hybrid?

DR. MACK: We will go to one state outline model.

DR. PEPICELLO: Okay.

DR. MACK: Which will be the hybrid.

DR. PEPICELLO: Okay.

DR. MACK: But it will be one state outline model.

DR. PEPICELLO: As of what date?

DR. MACK: July 1.

DR. PEPICELLO: Of?

DR. MACK: Of 2016.

DR. PEPICELLO: Okay. Have you--sorry for all the follow-ups--but have you done a mapping or a walk over of how the current system gets to the hybrid system, and then how the hybrid system maps to the criteria here?

MS. LINDSLEY: Okay. So when we started with the Baldrige pilot, it was announced in 2013, we came together with what we call a "pit crew

team." And that's ten agency personnel, and it's a performance improvement and innovation team. We went through a lot of Baldrige training and visited several sites. We then trained voluntarily any schools that wanted to be a part of that.

26 out of 29 technology centers agreed to go through that as a volunteer process. Once a month we did a training on each of the different criteria. So we transitioned them over to the Baldrige if they wanted to learn about that. However, not all of them were up in their five-year rotation so they may have learned about it, but they didn't start it.

So now we're in the process this spring of retraining with the hybrid model, and so we'll take each of the standards, each month do a separate standard until we all get the schools through the new hybrid version as we transition. So the '16-17 schools who are up, we have four technology centers who will be up this following year. They will have their training on the new model, hybrid model, by April, and they, this first year, we're going to go

out of rotation and give them until February to complete their self-study, do their on-site visit in the spring and have their feedback report and board approval by the summer.

Normally, the process would be they would turn in their application in August. We would do the site visit in October, November. They would have their feedback report in December, and we would go through board approvals in the spring semester. So that way they would have an opportunity to respond back to those reports before board takes action.

DR. PEPICELLO: Okay. So if I were then to say does Institution X meet standard, state standard Y, I could go to, whether it's a spreadsheet or a map at some point, and say, oh, yes, this standard is met in the hybrid model through this outcome or activity?

MS. LINDSLEY: Yes, there are two different ways that they are, quote-unquote, "scored" in the hybrid model. There is a series of questions that they score a one through five, and

that has to average out to a three or above for them to meet that part of the standard.

And then there are also some nonnegotiables, either you meet it or you don't meet it. If you don't meet any of those, that's an automatic correction action plan.

DR. PEPICELLO: Okay. And then eventually we would have access to those training materials and so forth?

MS. LINDSLEY: Yeah, if you would like.

DR. PEPICELLO: Okay. Thank you.

CHAIRPERSON PHILLIPS: Anne.

MS. NEAL: Just a quick question.

Obviously you started this with a pilot, and you were really trying to look at some new ways of dealing with career and technology education. You decided that you wanted to experiment with what you'd been doing, and now you're going to adapt what you learned into what you're going to be providing the State of Oklahoma.

Would you say that the requirements of the accreditation process have been helpful to your

innovation or have they been problematic and forced you to fit within a particular framework as you're trying to innovate?

DR. MACK: I think the guideline has been helpful to make sure that we are meeting the quality standards that have been set. The restrictive piece, I never had the sense of the restrictive piece. It was just making sure, we want to make sure that we are being accountable across the board so that if we do have an institution that our board has accredited, that we know that no matter where, it would be held to the same standard that everyone would expect their other agencies.

So from our standpoint, we have not had the sense of restriction. We want to make sure that what we are asking and what we are measuring is adequate for accreditation.

CHAIRPERSON PHILLIPS: Any other questions for the agency? Thank you very much for joining us.

DR. MACK: Thank you.

CHAIRPERSON PHILLIPS: Any--staff declines further comment. That leaves us at a point of being able to entertain a motion.

DR. ZARAGOZA: Madam Chair, I would move staff recommendations forward.

CHAIRPERSON PHILLIPS: Okay. Let's get those up. Do we have a second? Do we have a second for the motion?

DR. PEPICELLO: Second.

[Motion made and seconded.]

CHAIRPERSON PHILLIPS: Second is Pepicello. Any discussion? Moving to the vote, those in favor?

[Show of hands.]

CHAIRPERSON PHILLIPS: Those opposed?

[Show of hands.]

CHAIRPERSON PHILLIPS: Abstention?

[No response.]

CHAIRPERSON PHILLIPS: Thank you very much. Motion carries. Congratulations.

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CHAIRPERSON PHILLIPS: Okay. This concludes the agency review part of our agenda. We now have the opportunity to go back and pick up the pieces that we started at the beginning of the agenda for our policy discussion.

I want to take a brief break, perhaps ten minutes, to let you clear your head, get refreshed and shuffle your papers, and we'll come back and pick up where we left off.

Thank you. Ten minutes.

[Whereupon, a short break was taken.]

**COMMITTEE DISCUSSION/
NACIQI POLICY AGENDA**

CHAIRPERSON PHILLIPS: So as we start back up on our policy agenda, I'm happy to note that we are doing so an hour-and-a-half ahead of schedule. So we started out following on our 2014-15 set of recommendations to the Secretary having another series of discussions focused in the last meeting in June about the question of student achievement, and coming into this meeting, we started out with a bit of a briefing on what the current statute and regulation are around the Department's scope and the Committee's scope, what we could and couldn't do.

And I'm sure that there are still questions. We don't have Sally here today, but we do have Donna for those, to talk about some of the legal parameters. We've also gone through an entire agency review cycle now with some of these questions and data points in mind, and I'm sure that you've been thinking about this as you've been listening to the review process.

We've also heard from the Under Secretary

a very strong encouragement to think about questions of student achievement and questions of institutional and student outcomes. I would note that we all have definitional parameters here. Outcomes and achievements are not necessarily the same thing.

But we have now an opportunity to think together about how we might want to shape the path going forward in our review process and potentially larger for more policy recommendations.

You've heard a bit about what the Department is planning to do, the executive actions that they have taken already, and that they have made recommendations that they've made about things that are beyond their particular control. And you've heard more specifically about some of the distinctions and opportunities for us to consider more closely, things like student achievement, or things like student and institutional performance metrics, or things that might be measured simply because they have policy significance.

So I wanted to frame our discussion this

afternoon with a couple of parameters in that large space, to invite us to consider how we might want to move forward. As I said as we started this, I know that we're all mindful to be sure that agencies, just as institutions, need to have prior notice to know if they're going to be asked to speak to something that they haven't been asked to speak to before, and so thinking ahead to our June meeting and how we might proceed, want to proceed at that meeting, we want to be sure that that was clear to agencies going forward.

But it may be we want to set the stage for that meeting. We may want to set the stage for a larger, more policy level discussion. We may want to set the stage for a broader conversation with the Under Secretary going forward.

So this all leads up to--I was going to say this afternoon's, but this morning's opportunity for us to return to this larger question of student achievement and outcomes. And I'll just place those broadly, not define them, and invite your initial thoughts, reactions, as you've

listened both to the briefings, to the counsel about restrictions, and to the process of our agency review during this meeting, and what it might mean going forward.

So let me pause there, open the floor to those of you who would like to share some perspectives or pose questions that remain on your mind at this point.

Rick.

MR. O'DONNELL: Susan, thank you for putting this on the agenda. I would love to have a conversation about things that we can control more so than broad policy things that are other people. So, for instance, what do the staff reports look like, both in the Department's executive actions and conversations about trying to have more student achievement data in the accreditor review process.

I think it would be really interesting to look at how do we, how are we as NACIQI members presented information, and are we presented information in a way that would actually drive discussion with agencies when they're up here,

drive things staff is looking at and reviewing. So that I often feel when we're trying to get a picture of an agency, individual NACIQI members are on our laptops trying to find data on the fly, and it's not presented to us in advance when we're primary readers.

And so I think it would really be helpful to kind of understand what are the limits and what can we do that would not only prepare us better, but at the same time to be signaling to the agencies that these are items you're likely, the commission, the members are looking at as well as staff is looking at.

CHAIRPERSON PHILLIPS: Kathleen.

DR. SULLIVAN ALIOTO: Well, that is so smart. That is so smart. And I'd like to have included in that these questions about the student default program and the Pell completion rate and so forth.

I would also like for us to consider when we're talking about student achievement and competency and graduation, I think that we also

have a situation with community colleges and vocational institutions that we should be looking at competencies, and that that could be part of the metric rather than saying graduation.

For example, I took Italian at City College. I never really graduated and learned as much Italian as I would have liked, but it certainly was helpful to my life. And I took parenting courses and so forth. I think that there are competencies that can be evaluated when we're looking at what we really would like to have educators achieve, that that could be included.

And I think that's why the student learning outcome thing came up, that each course is supposed to do something like that, but I'm not sure how this body would be able to judge it. But I'd like to see us thinking about it that way.

CHAIRPERSON PHILLIPS: John, Cam and Arthur.

DR. ETCHEMENDY: So I realize that we can't, that the Department can't set certain kinds of standards and shouldn't, but what I'd like to

see--I mean I'm actually quite shocked that a lot of accreditation agencies don't even collect these kinds of data, graduation rates, just the most simple success measures like graduation rate, placement rate, repayment rate.

And is, you know, would it be something, a reasonable policy for us to ask, first of all, that they collect them, and, secondly, that they be addressed in their standards, see, because that's the next thing. So some of them collect them, but then say nothing about them in the actual accreditation standards.

And they can address them in different ways presumably, and I would actually like to be more prescriptive than less prescriptive on how they address them, but probably we shouldn't go there, but actually require that every agency have as part of their standards of accreditation the collection and assessment of certain measures, and then we can talk about what measures.

CHAIRPERSON PHILLIPS: I've got Cam, Arthur, Ralph and Bobbie.

MR. STAPLES: I think what would be useful when we look at Department--it's partly in the legislative agenda more explicitly, but it's sort of throughout--this notion of differentiating between the high performing, the characterization of Department's first legislative proposal, differentiating between high-performing accreditors, and perhaps giving them a different burden, and low-performing accreditors. And I think one of the things that we need to consider is that most of the accreditors, certainly the regionals, have a mix of high-performing schools and low-performing schools.

I'm not sure you can characterize an accreditor with that broad a brush, as high performing or low performing based on outcomes in their region. They each have challenging institutions, and I think what's interesting and what would be useful for us is to make it sort of an explicit part of what we want, which is a discussion about how they're addressing the low-performing institutions.

What are the range of tools, interventions, mechanisms, that they use? Because I struggle with the question of outcomes are very important for the institutions, and they give us some indication, but if you want to measure what an accreditor does, it's not always just based on the outcomes of the institution. Some of those are dictated by the student population.

I mean if you're accrediting a very high-performing selective institution, and they have very high graduation rates, it's not necessarily the impact of accreditation that causes that institution to be so high performing.

And the same thing with the low performing. We recognize there are certain, certain institutions that have just different mixes of students with a lot of different challenges. So for me, I'd assume that every accreditor had within their scope institutions that require deeper levels of intervention, deeper levels of work, and I'd like to understand how they address those.

That's to me the challenge of what we want

to do, is how are you doing with those challenging institutions, and what, what tools do you have, what tools do you not have, what works, what doesn't work, because that may inform us a little bit about what our expectations should be. I mean just looking at outcomes is only one part of it-- student outcomes. I think we need to understand a little more about what goes into the accreditor's actions around those institutions.

CHAIRPERSON PHILLIPS: I would just add to that, not only what Cam is mentioning about how they approach the low-performing institutions, but how they define it? How they define one? How do they identify it? Just to add on to that.

I have Arthur, Ralph, Bobbie, and, of course, Jen.

DR. HONG: Just to add to that, one of the components of the 75-day plan is to explore flexibility of accrediting agencies. So right now the Department has been in conversation with agencies about how they look at low-performing institutions versus, ones that they feel like, not

waive their standards but how they conduct differentiated reviews?

CHAIRPERSON PHILLIPS: Arthur.

MR. ROTHKOPF: Yeah, I'd like to sort of have some focus when we come to these institutions which are either national accreditors or particularly where they're career oriented, where there are going to be licensure requirements, which are generally the case, and I don't want to obsess over the cosmetologists, but it sort of raised for me the issue is what are our expectations there? Ralph wanted to know yesterday what was the percentage who passed the licensure, what percentage had jobs like right away or maybe a year down the road?

And it was sort of vague. Oh, yeah, we set 50 percent a few years back. We haven't really looked at it for awhile. It looks like it's good. I think that's totally unsatisfactory. We ought to know. It ought to be in the reports what are the outcome as much--it's sort of almost easier to do the outcomes in these career-based places than it

is in a liberal arts institution where it's unbelievably difficult to come out with outcomes.

So I think we ought to try and say, well, what's right? I remember, and I can't remember which group it was, not at this session, but a couple years ago, which said they had an 80 percent requirement in one of these career things before. I thought that was pretty good. Maybe it's good; maybe it's not.

But I think we ought to think through what we expect, and we ought to know those numbers and have them justify those numbers as best they can because that all, you know, goes to, you know, what kind of job the institutions are doing. It may be beyond their control. It may be easier to get a job as a cosmetologist in New York than it is in Dubuque, and that also fits in, and it's not just averages, as I think Ralph pointed out yesterday.

So it's, I think it's complicated, but I think we ought to be focusing on actual results of these career accreditors.

CHAIRPERSON PHILLIPS: Thank you. Ralph

and Bobbie and Anne.

MR. WOLFF: Hank also had his hand up.

CHAIRPERSON PHILLIPS: Oh, I'm sorry.

MR. WOLFF: Well, actually that's a good lead in to a number of the comments I wanted to make. It does seem to me that as part of the comprehensive review of the standards requirement, there ought to be a validation of whatever benchmarks an accreditor sets.

And I think some of them have done a really good job, and others, as we heard, have just relied on tradition.

Secondly, I wonder if we can get data of how institutions for a period of time have fallen, how many have fallen below those benchmarks, or what is, and/or what is the average with respect to those benchmarks of the institutions or programs that they accredit because a 50 percent completion rate maybe is a floor, but if the average is actually for all the programs 70 percent, then we're looking at the wrong number, and so I'd like to get more data.

I also would say that as we have discussed before, the regionals have looked at learning outcomes as the way to achieve, address student achievement in the regulations. It seems clear that completion is both in the law and is increasingly important, and so I do wonder if using what Ted was saying earlier, the conversations we've had, if in petitions from all agencies, we can look at how they're addressing issues of completion, and not just, particularly for the regionals, the issue of student learning outcomes for which we have no legal warrant, and there's a limitation in the law, and for which there are no real metrics that have been established.

But I think that we can at least look at how--I don't want to say low performing-- institutions with low completion rates may be performing well for their constituencies. So I just would like to know is it part of the review process, and how are institutions with low graduation rates addressed by the accrediting process? And we've seen that more in the national

and the specialized than in the regionals.

Tied to that point is, I was talking with Herman, is there a way in which the staff could select one or two reports, not just have the agency provide them, because I know when I was providing petitions, we tried to provide, you know, our best evidence, and this is not a "gotcha"? It's really to try to say, and to me it should be both, and the agency should submit a couple of reports, and I think the staff should identify a couple, and therefore be able to look at, through a random selection, is there consistency?

One other thing I would say is Kathleen raised the issue on the Scorecard, and the Scorecard is based on the data that the Department has put forward. It's not necessarily the data that accreditors use. And it is data that one says is based on a limited data set. And so I would hope there is a way in which the Department could have conversations with agencies on how to use Scorecard data, but not making it the end all because of the limitations of the data sets and the

focus because I can just tell you when instructing teams, at least when I was there, but of course before the Scorecard, we would not say to rely on Federal data and the like. We would rely on the data the institution provides, and then they might go to the Federal data.

But we rely so heavily on the institutional data, and I don't think that's inappropriate, but we need to find a way the Scorecard data fits in the review process--ours as well as the agency's.

And then a point that I would just like to make that came out of the conversations about Northwest, and that is the allegation was made, and I will say it's an allegation, that the appeals process on a complaint, you know, Herman read the language "needs to be unbiased," and I know the complaint processes of agencies are reviewed, but it would be helpful to make sure that there's also review of the appeal process for the complaint to make sure that it's not the same people reviewing it, which is the same way institutions would have

to have another independent person review a complaint, a way in which a complaint had been resolved. So thank you.

CHAIRPERSON PHILLIPS: Thank you.

Yes, Herman wants to weigh in.

MR. BOUNDS: I just wanted to address the appeals issue. The criteria is pretty clear. The appeals, the appointed appeals panel cannot have any members who made the original decision on that appeals panel. The criteria already covers that.

MR. WOLFF: That is an appeal of a decision, not a complaint.

MR. BOUNDS: Right. Well, the commission makes the decision on a complaint, but you're right, that's an appeal of an accreditation decision. Two different things, yeah.

MR. WOLFF: In the agencies I know, staff made decisions on complaint. Rarely it goes to the full commission.

MR. BOUNDS: Yeah, if the staff--the staff should make decisions on complaints. That should be done by the agency's commission.

MR. WOLFF: Well, that's not been the practice. And I wouldn't encourage that a full commission would have to deal with every complaint that comes before.

MR. BOUNDS: Is that normally?

CHAIRPERSON PHILLIPS: We can look at that.

MR. BOUNDS: We can, I can double check. I'll double check. I could be misspeaking.

CHAIRPERSON PHILLIPS: I've got Bobbie, Anne, and Hank, and Simon just to--

DR. DERLIN: Actually Hank was first.

CHAIRPERSON PHILLIPS: Okay. Hank, Bobbie, Anne and Simon.

MR. BROWN: Thank you.

CHAIRPERSON PHILLIPS: Sorry.

MR. BROWN: Susan, thank you for doing this. I thought I'd just add on to those who suggested some inclusions in the format, both John and Rick and others that have brought that up, or at least I interpreted that, that the report that the staff prepares, at least for me, it would be

helpful to see a summary of the actions they've taken since they were last accredited so that you would know how many they have renewed and how many they've denied and so on.

It seems to me those questions have been asked for some of the folks that have come before us. They don't really seem to know that was what we were interested in or have those figures readily available, and I think it's a little thing, but I think it gives us some clue as to the activities they've been involved in.

CHAIRPERSON PHILLIPS: If I can insert into this conversation, there's a certain basic data that isn't criterion referenced, it's not regulatory, but it's sort of like height and weight when you go into the doctor's office. You know they always measure height, weight and blood pressure even though there might be nothing particularly wrong with it.

What we see routinely in the staff reports is the history, the scope, the number of institutions, but not the actions of the agency nor

the actions of the institutions that they accredit. So that piece, which is the universe that we tend to be talking about now, is something that we can now find more easily because of the Scorecard data available but isn't, hasn't been routinely part of the first blush staff report.

I do think that the staff is thinking about that as well. So just as a--I wanted to cast, cast perhaps a difference between criterion related data, places where we might say is this a compliance issue, and sort of more routine institutional or agency performance data, and that might--that distinction may be helpful as we go along, bearing in mind the prohibitions against bright lines about data.

Okay. So let me come back to Bobbie, Anne and Simon, and just catch my eye if you want to get in the talking order. Yeah.

DR. DERLIN: Bobbie. And I would, first of all, like to thank sort of the direction of this conversation and the suggestions made so far, and I'd like to refer back to Sally's remarks today,

which when I heard them I thought, oh, dear, this is that list of constraints about all the things that bind us, the ties that bind us, and we sometimes struggle too because it's too tight.

But I think there was some great insight in there about developing a set of questions, and we've got some good ideas percolating--how do you handle low-performing schools; what's your array of sanctions--having a list of questions informing accreditors when you come to present to us these are issues we would like to hear you speak to, and get it out there, and kind of get started.

It's quite different than the bright line conversation we've been having for some time. So I want to encourage that.

And I also think given the limitations of the Scorecard data and the spreadsheets that we've been provided, I think one of those questions should be as you prepare your materials for the Department and as you get ready to come and speak with us, these are the data points we have, and be aware of that, and be prepared to address how those

data points either do or do not accurately reflect your work.

Thanks.

CHAIRPERSON PHILLIPS: Thank you.

Anne.

MS. NEAL: I want to just really follow up on what Bobbie just said. I would hope that we could decide here today that the staff in the future would give us just a few rubrics every time, and it would rely largely on the wonderful data that the Department has just made available so that we would see what the accreditor's standard is for evaluating student outcomes. We'd get four-year, five-year, and six-year graduation rates. We'd get repayment rates. We'd get default rates, and we would get sanctions, as Hank has said, along with the reasons for the sanctions so that we could begin to hone in on what is it they're finding most problematic.

I think that kind of basic background would be immensely helpful, and to Bobbie's point, if it--and to Ralph's point's--if there is

something wrong with the Scorecard data and that somehow these accreditors have other data, I want to know the difference. I'd like--because the public has to rely on the Scorecard. If it's not right, we need to know what's wrong with it.

So I would really like to start with that, and I think the data is there, and if we could have a sheet each time, and every accreditor would know, we're going to get that sheet, and then they can prepare to address that as they feel appropriate.

CHAIRPERSON PHILLIPS: Thank you.

I've got Simon and Paul and Kathleen.

MR. BOEHME: Well, I'm just thrilled we're having this conversation about student achievement because, you know, it's evident with The Wall Street Journal and what CHEA is talking about, and I think what we're starting to make known, and what is most important to me, is that when accreditors come before NACIQI that everyone should be on warning, that, you know, a commenter yesterday, a president of an accreditation agency, seemed quite content with the way accreditation had been during

her tenure.

And I'm certainly not satisfied with the way that accreditation has been for the past 20 years, past 40 years, and I think what's so exciting is, and going off of the comments that Anne and Bobbie just said, I know that the staff, they do extraordinary work and adding more work to them, I'm not sure how much of a capacity they have to create those data points because I agree wholeheartedly with Anne that we do need that information, and oftentimes I'm on my laptop getting the information when they're speaking, maybe a few days before, and I think, in general, sometimes people may be like--and people have come and asked me, Simon, where do you get this information? And I think if we have, if we're all using the same numbers, and we're all in the same page when we're all talking, I think would be extremely productive.

But I think the second thing that I'd like for NACIQI to do is to give a heads-up to these accreditation agencies and tell them that they need

to come prepared. I was blown away by the lack of just kind of I would say a lack of effort on behalf of the Higher Learning Commission at the last NACIQI meeting when the president of that commission really failed to provide an adequate explanation for why there were single digit graduation rate schools.

And you know obviously we didn't get--or I was in the opinion that the Department of Education was in the wrong. I think that the decision issued should have been a little bit differently, but I think we have to, and with ACICS coming up in the spring, obviously they've got a lot going on, and I'm sure they'll be ready for some of our questions.

But for a lot of these other accreditation agencies, they need to know that NACIQI is leading the charge in talking about this stuff, and they should come ready and prepared, and I'm not sure how we can do that, but, you know, as long as I'm on this Committee, and hopefully we can all lead this discussion of not micromanaging what happens

inside the classroom, what happens in individual institutions, but start to figure out what happens to these students after and looking at basic metrics of student achievement.

CHAIRPERSON PHILLIPS: Thank you.

I have Paul and Kathleen.

DR. LeBLANC: I wade into this guardedly as the new guy so forgive me, but I think the--I sit on the Academy of Sciences Committee on Quality in Undergraduate Ed, and Jordan Matsudaira from Cornell did a great piece on this topic, so if it's okay, I'll distribute it. Or I'll ask Herman and Jennifer to distribute it to everybody. It just would inform this, and it goes deep into the challenges of different kinds of data sets.

Data is getting better but still highly problematic. A lot of the data that we're coming back to is some of the most problematic data, including the Scorecard. So it's interesting, for example, to look at the graduation and earnings data for an institution, but it rolls up all of the programs.

And if I think about that challenge, so what I really want to know is on a program-by-program basis, how are those students performing? If you think about that from an accreditor's point of view, and I'll use NEASC as the place that I'm most familiar with, I would want to see the rolled up data, but I would want to know by sector because the performance of Roxbury Community College versus Harvard, both in the same region, aggregating that data isn't very helpful to me.

So I think my perspective on this would be just as the agency's ask institutions to fill out pretty thorough data sheets, I would love to know what data the agencies are asking for from their institutions and the justification for why that data and what they learn from that data. We will learn a lot in that process as we go, but this is a highly problematic way of trying to get insight into quality still.

So this is not an argument against it. It's actually an argument for it. It's just know that this is going to be a work in progress. In

some ways, the better question is what kinds of data are you asking of your institutions and how do you think about that data, why that data, how are you using it?

I think so an extension of that is I'm curious about what tools they have to bring to bear in engaging with their institutions around moving quality? So when we looked at City College and watched an agency go to the nuclear option, I thought, God, was that your best option? I mean that seems like a politically sort of out-to-lunch option in my view. There had to be some things that they needed to do before.

And then I don't know--this is a question where if Sally was here, she'd tell me I can't sort of ask these questions, I suppose--but it seems to me that in performance of organizations, we always come--always it depends highly on talent and human factors and culture, and that doesn't feel like it's much available to us, and yet when again I looked at City College, I thought there's a lot of personnel and culture issues masquerading as policy

questions.

And I don't know how we have that conversation with agencies or how we get insight, but when I asked Steve about the Montessori people, it was like, you know, do they get it? I remember being on the NEASC Commission, and often we'd have schools come before us, and there was a sense of this is a school that gets it, they understand their issues, and they're working really hard at it, and then there's schools you think that they don't get it.

And I think we've seen the range of that today, and it certainly colors my sense of how we should interact with an institution, as Cam did. I think Cam sort of called it out and said we're not even giving sort of--we're not even getting recognition of the issues so let's put this agency on a shorter leash.

So I don't know. Since we only make recommendations, why can't we ask about anything?

[Laughter.]

DR. LeBLANC: We don't get to decide

anything.

CHAIRPERSON PHILLIPS: We do have--just to respond to that--we can ask all sorts of things.

DR. LeBLANC: Okay.

CHAIRPERSON PHILLIPS: It's what we do with the answers that is the constraint.

DR. LeBLANC: So?

CHAIRPERSON PHILLIPS: So we can ask what is your completion rate average across by sector, and then they say 39 percent, and then what we do with that 39 percent is the place where there's the problem.

DR. LeBLANC: Yes.

CHAIRPERSON PHILLIPS: So if we say, oops, that's under 40 percent, we're out of bounds. If we say and what do you make of that 39 percent, we're in bounds.

DR. LeBLANC: Yeah.

CHAIRPERSON PHILLIPS: Am I fair? Okay.

DR. LeBLANC: Honestly that's the more interesting question, like why 39 and why 40? As I think Arthur may have pointed out, someone chose a

number and said this is what we've always used. Why? How do you think about that now? What validates that number? How is it benchmarked? How does it break down into sort of classes or categories of institutions that you accredit?

It seems to me getting better insight into their methodology and their thinking and how they're using data is at this early stage of trying to understand how we use data, look at quality, almost more helpful at this point.

CHAIRPERSON PHILLIPS: Yeah. Kathleen.

DR. SULLIVAN ALIOTO: So could that be part of what the, what the template is? You know when you talk about, when Ralph is talking about benchmark data, if the cosmetology industry, 70 percent rather than 50 percent or whatever, I think that would be an interesting thing.

And also this thing about low-performing schools, I kind of wince on that because I think community colleges have been sort of put down, and what community colleges are doing is so extraordinary, taking students who haven't learned

how to read and write in K-12 and changing their lives. So is that a low-performing school? How do you make that kind of a judgment? And I think that that's why I would go back to doing a competency, having some kind of a criteria in terms of competencies of schools or somehow separating those things out but keeping a high benchmark for it.

But how do we help educators educate, and how do accrediting agencies do that if we're talking about academics with accrediting agencies? How do we do that?

CHAIRPERSON PHILLIPS: Rick.

MR. O'DONNELL: Well, to respond to something Kathleen just said because it's--but it's really off topic. But I'm a former SHEO so I ran a state department of higher ed in Colorado, and I'll speak just to that state, but there's huge variance among community colleges.

DR. SULLIVAN ALIOTO: Yeah.

MR. O'DONNELL: And I think one of the problems in the student achievement debate we have in this country is we often say, oh, open access

institutions serving lots of first-generation low-income students, it's really hard to measure them, and yet there are community colleges that do amazing work, and there are some pretty subpar community colleges that frankly don't have best practices, don't have good student support services, don't really move the needle for students.

So I would caution us and accrediting agencies from I don't want to say make excuses but lump all community colleges together in one bucket because I think there's huge variations.

On the process point, my question is I don't know if everyone is trying to get out of here on an earlier flight, but I'm wondering if--I don't know who's taking notes, but could we not maybe after lunch just design our ideal rubric and the ideal set of questions, and then let the Department go back and figure out if it's feasible or not, what's legal or not, because otherwise I worry we'll just be back here in June and won't have made progress. And if we have the time this afternoon

to actually sketch out what's the one page or two page we'd really ideally like to see, we might actually move this ball much faster than otherwise.

CHAIRPERSON PHILLIPS: You're on my page. Okay. I've got Frank and Arthur.

MR. WU: Sorry. I had to step out for a call. I just wanted to make two points. The first is, is there a way we can communicate with the Department about these ideas, not just in a public setting, but privately is it appropriate? Here's why I ask. I'm fully behind what Paul said, which is since we are recommending, why shouldn't we go ahead and ask hard questions across a broader range of issues that many of us at the table care about, believe are appropriate, that the agencies work on that they should be ready to answer?

But I just know the lawyer in me notes what are the consequences of this exactly? If we do this, what will the Education Department do? Will someone get feisty about this and lawyer up and challenge our authority, you know? We should think through exactly how this is going to work

before we go down that course, and part of it would involve I think asking Ted, hey, we're thinking about doing this, what do you think about that?

And it may turn out that even if they say no, no, don't do that, that we nonetheless decide we're going to do it. But it would probably be good to have a conversation and, you know, not surprise people and see a headline in the higher ed press that says, you know, NACIQI goes off the rails or something like that.

[Laughter.]

CHAIRPERSON PHILLIPS: It's always helpful, and fortunately we have many months between now and the next meeting to be able to determine if we say slice here, have we cut off a critical vein?

MR. WU: Right.

CHAIRPERSON PHILLIPS: That's always useful to know before you do the slicing.

MR. WU: Right.

CHAIRPERSON PHILLIPS: There's also a message that we got I think from Sally on Wednesday

that I want to underscore, and that is that while we operate within the same set of, same statute and regulation that the Department does, we have a bit of a different scope. Some of the questions that we've posed about data might be questions that we collect that the staff has to do their compliance with regulation issue, but it may be that there's a different set of data that we consider. So it may not be fully staff data, but organizing that between the two entities might be a difficulty.

MR. WU: Right. And the whole point of having us as a body and appointed from different entities with different perspectives and presumably some expertise is that we don't just rubber-stamp the staff. If all we do--and that's why there are two reports--if all we did every time was say, oh, well, what the staff says looks good, we would not actually be adding any value in the world.

The second point I wanted to make is I actually don't think it would be such a bad thing if agencies consulted a lawyer. I don't mean just in the self-interest of employing lawyers, but--

[Laughter.]

CHAIRPERSON PHILLIPS: The full employment act.

MR. WU: But for what it signals. What I mean by that is the seriousness with which they come before us. Some of our proceedings and some of the way explicitly that agencies come before us strikes me as a little too chummy and friendly, sort of like, hey, how's it going, you know, we go way back 25 years, good to see you again. And there's a sort of for some of the agencies a sort of casual, they take for granted this is, there will be a few questions, and I wonder if maybe we're not being effective in getting across the message, as Simon has said, that we're here to really do something and to be tough.

We're not here just to say, oh, you know, good work, we'll see you again in a few years. So if we signal, and we've tried to do that individually and as a group to the audience, which it also strikes me that after agencies appear, they leave. I'm astonished by that, that they don't at

least have an intern sitting and watching because we often comment about other agencies later in the three days in a way that I would think they would want to hear and be aware of.

So I'm always struck by how some agencies just come in, it's sort of casual, they do their thing, it's three minutes, and they leave, and that doesn't seem to me right. It's not a good use of our time or of public resources if that's what we fly to D.C. twice a year to do.

CHAIRPERSON PHILLIPS: Thank you.

I've got Arthur and Bobbie and Federico.

MR. ROTHKOPF: This is really kind of a process question as to once we agree, if we can, on what kinds of information we want, how is it communicated to us? You know I think we had a process, at least two or three years ago, where certain questions were going to be addressed when they came before us. I think that just has dissipated. I mean what are your challenges? How many institutions have you disciplined? It's some of the very same stuff that we're talking about

now.

I would suggest that anything that we want to look at and have analyzed ought to be in the report that we get and not be left to, oh, gee, I think it's this or it might be that, or this was a good year or a bad year. I think we ought to state what we want and make it a part of the report that we receive so then all of us, not just the readers, can be knowledgeable and press on whatever issues that we want to press on.

And as I say, we, I think we had said these are the two, three, four questions we want every agency to address. Well, that's just gone. We may or may not have even asked them for that anymore.

CHAIRPERSON PHILLIPS: Just a comment on that. Those were wonderful questions. I believe that Jamiene Studley started that conversation, and we always offered the institution the opportunity to respond to those questions on the spot or to let us know later. And they would always say later, and I think that speaks to

possibly addressing Frank's concern. I don't think that agencies come here lightly, and they would just as soon not be on the record in a way that they've not been fully prepared for. So the question is getting them fully prepared.

MR. ROTHKOPF: Getting them prepared.

CHAIRPERSON PHILLIPS: Yeah.

MR. ROTHKOPF: You know, and all they want is the answer.

CHAIRPERSON PHILLIPS: Yeah, right.

MR. ROTHKOPF: All of the rest of it, you know, smoke and fire or whatever, and all they want is, yeah, we're accredited five more years. We'll see you in five years. That's--but we ought to--

CHAIRPERSON PHILLIPS: Yeah.

MR. ROTHKOPF: --before we give them that result, I think we ought to know a lot more about what they're doing, and how they've done and for these points that are now being discussed, which I think many of which are extremely valid.

CHAIRPERSON PHILLIPS: Thank you.

I've got on my speaking order Bobbie,

Federico and John.

DR. DERLIN: I just wanted to speak a little bit to Kathleen and Richard's point, and I think it is worthwhile to see if we can winnow our questions some today and work on maybe some broad definitions. I think when it comes to examining competencies and coming up with the definition of a low-performing school, I think it will not be possible for us to achieve a consensus on exactly how that should be done unless we really constrain our analysis.

And so I'd suggest we consider the data set with all its warts that we have, and it certainly includes an opportunity to slice and dice based on college, community college versus university or whatever, and work on some of those definitions ourselves as we go along.

And, Frank, I'll meet you outside after the meeting because I have some disagreements with your statement.

[Laughter.]

CHAIRPERSON PHILLIPS: Federico.

DR. ZARAGOZA: I think I want to echo some of the concerns or at least a cautious approach to data. Data tends to be very messy, and it tends to contextually mean very different things, and often the methodology by which data is generated again tends to be a topic that we don't discuss as much.

Data takes on also kind of a different context. I'm certainly a proponent of diversity and access, and so when I look at data, even within the community college environment, given its multiple missions, there are demographics and considerations I think that also need to be brought forth with the data. So, again, not that I don't support the data. I definitely do. But I think we have to be very responsible about how that data is moved forward.

I also think that if we're going to be providing that data, we need to have some discussion and maybe even some internal training to better understand what the data could mean. Again, my concern being that we oftentimes assume that data is absolute, and that certainly is not my

experience.

CHAIRPERSON PHILLIPS: Duly noted.

John, and then I'm going to do a quick summary of where we are.

DR. ETCHEMENDY: Yeah, so I'd like to say I guess three things. One is although I mostly agree with everything Frank says, I don't agree that the agencies come in and take this lightly. I think exactly the opposite: they don't take it lightly at all. But that doesn't--but there remains a worry that I have, and that is that the focus that they have really is on compliance.

Now, I don't know, as far as chumminess, I don't know whether behind the scenes, are you guys chummy with them? I don't know. But I don't get that feeling that certainly from either what I see here or from what I've seen from the other side from my experience on one of the commissions that the agencies take it lightly.

What they do, however, is they take it as incredibly, incredibly compliance oriented to the point where it's niggling details that have to be

fixed. And here's a question I have related to that. How many of the agencies sort of historically come before NACIQI and actually have a recommendation of first-time through a recommendation of a five-year rerecognition versus how many come through and have to go through a one-year, well, they have to fix this, and they have to fix that, and they have to fix that? And that may be a measure of how much is simply compliance and how much is, you know.

I don't know. I have the feeling--Rick asked one of the agencies were you irritated by or something by the, by what the agency made you do or something about--and, of course, the agency said, no, I wasn't irritated because they have to; right?

[Laughter.]

DR. ETCHEMENDY: Because they don't dare say anything else; right? But anyway--

DR. DERLIN: Well, but they did.

DR. ETCHEMENDY: One of them did, yeah. One of them indicated that. So the other thing I want to say, and I'm sorry Federico had to leave,

is about the inadequacy of data and the potentially misleading nature of the data that's out there.

I'm very, very aware of both, both that some of the data, particularly IPEDS data, can be incredibly inadequate and inaccurate about an institution. It's amazing that it's gone so many years just collecting first-year full-time--first-time full-time data for the graduation rates when, you know, there are institutions that have, may have hundreds and hundreds or thousands of students and have five first-time full-time students, and so their data is based on this incredibly unrepresentative sampling of their students.

Okay. That's a problem; it can be solved. And I think we should all be trying to fix that problem and get better data. There's also concern about misleadingness of the data. That is there are different institutions serving different populations, and you have to have different expectations given the population that they serve.

We all know that, and that's something also that we need to address I think head on. I

mean I would like to see more knowledge and more understanding of what the expectation should be for the different types of institutions. But none of that, so that neither the inadequacy nor the misleadingness is a good argument for not looking, not demanding that the agencies look at it, not demanding that they actually take it into account in their assessment of the institutions, and for not us demanding that the agencies be accountable to the performance of their institutions.

So we've got to collect that. We have to be intelligent about how we look at it, but we need to really collect the data and look at it seriously.

CHAIRPERSON PHILLIPS: I've got Frank. Ralph and Paul. I'm going to also see if I can wrap my hands around all this after Paul. Frank.

MR. WU: So I'll revise what I said. It's not that the agencies take things lightly. It's rather this: nobody expects that we're going to actually pull the authority from any agency. I don't think anyone comes here thinking that we will

actually recommend that, just as most institutions that are accredited don't think that an accrediting authority will actually some day pull the plug.

So it's not that they take it lightly. It's that they're compliance oriented, and they seem genuinely surprised when our questioning goes beyond the scope of did you comply with such and such that staff noted? That that's not what they-- and maybe that's our fault. We're not communicating we're going to ask questions about student achievement because they come and they want to tell us, well, we enacted, you know, 32 rules at our last meeting that comply with the staff report that cited these 71 violations that none of us ever discussed with them.

You know they're so seemingly trivial or unrelated to the actual substance. So it's not that they take it lightly. It's that they think, I believe, that we will never actually pull the plug, and that we're really going to be focused on compliance, as the staff rightly is. I don't want to denigrate what the staff does. It's great that

staff does that, but if they're doing that, why would we just repeat that? That's not what we're here for.

And it's that I get the sense they don't quite grasp what this process is about, in part because we went out of business for a few years, and then were resuscitated in a slightly different form, and we're still finding our own way, which is why it would be good to have a rubric and to announce to people this is what the process will be about; this is what we're going to talk about.

The exception is there are some agencies-- I don't have to name them--they're in pitched battles that make the press that involve public officials, that involve lawsuits, but that's a tiny number. So agencies come knowing there's going to be something, but for 90 percent of the agencies, what they think they're doing, it seems to me, is coming to testify to us that they comply with the staff report and this and that violation.

And I suppose it's reasonable for them to think that that's what they're doing since that's

what they've been doing in the past and doing with staff. So if we're going to change it, we should announce it. We should, as Rick suggests, work up these questions, say this is what we're doing from now on. You're on notice, and that would do the world a service.

CHAIRPERSON PHILLIPS: Thank you.

Ralph and Paul.

MR. WOLFF: Well, I will say I'm probably the only one here who has sat in the chair multiple times, and I want to be clear. I can just say for my commission--John can attest to this--because after I left, the commission spent an enormous amount of time reviewing every response that was given to the commission and to approve it, so, but people come with the expectation that they're addressing the staff report around compliance.

And particularly when there's a 12-month report, the expectation is the issues that are in that, that you are following up on, are what you're going to address. And so when it goes beyond that, rather than a petition for rerecognition that's

comprehensive, there is a surprise factor, and I think we have to be very careful that people are not here to engage in broad policy discussions. They're here to get an actual decision that has enormous legal and financial consequences not only to the agencies but to their institutions.

So broad questions are hard to respond to when you're sitting in that chair because you don't know if it's going to impact on the decision that's going to have consequences for your agency and your institutions.

For me, the issue is we have a warrant, and that warrant is shifting. It's like what's happened in the world of postsecondary education that we shifted from inputs to outcomes. Now the regulations are very much input and policy and the like, but the very concept of student achievement is increasingly outcomes based. And so I think our warrant has to be around not so much broad general policy but getting clearer and clearer what is the kind of data we want to look at around student achievement, and framing questions, and I support

what is a good use of data.

I would like a briefing on the Scorecard myself. What is the actual basis of the data? I've heard many different things. I've read it, but I really would like to know what percentage of actual enrollments are covered by the Scorecard data? And where is it complete and where it's not complete? So I think we need as much a briefing on it. If we're going to rely on that data as having consequence, we ought to know what its strengths are, what its limitations are.

So I support the idea of getting clearer and clearer about what we mean by student achievement, defining what is a low-performing institution. Is it around integrity, finance, planning, governance, which are the key issues that accreditors issue sanctions for, but not around low retention rates or graduation rates? That's not been, to my knowledge, at least in the regional community, a basis for sanctions.

So I think what we're really trying to hone in on is not the work that agencies do, at

least the regionals, around all the other areas. It's how are they approaching this whole issue of student achievement and shifting or/and expanding the notion from student learning outcomes, around enormous amount of time, energy and money has been spent, to completion, retention and benchmarking, to others, and to me that's for at least one, that category.

I think for those that already have data, then I think we need to learn how to interact or-- excuse me--already have benchmarks, how to interact with the way in which they're applying the benchmarks.

But I can tell you that at least when I was involved, that over 70 percent of institutions in the regional community were given follow-up reports on student learning outcomes assessment or some kind of follow-up. So it's not enough just to hear we do monitoring; we do follow-up. I think we really need to hone in what we're really looking at are the student achievement data and to really try to say this is what, in addition to everything

else, we want to really engage, but do it in a way that knows that it's going to have consequentiality.

It's not a light conversation to have, and I think is there a hold harmless period in which institutions try or agencies try to engage this? But I don't think this is we're going to take away an agency's recognition on this, or I think we have to look at is there a limitation that we might put on an agency, any agency, around student achievement? And how would we go about doing that?

And to me, we've got to stay within our legal warrant, and then if we're going to engage institutions, be prepared to be consequential in the actions that we take, and it's not a polite conversation. It's one that needs to lead to a decision or to a recommendation to the Secretary.

CHAIRPERSON PHILLIPS: Paul.

DR. LeBLANC: Yeah, I think, extending a little bit of Ralph's point here, that I think we're well positioned to have an enormous influence on the industry because what people measure

matters, and if we start asking agencies to measure different things, and why do they choose the things they chose, and what was the thinking behind that, we will up their game. We'll up our game, and the data points we have now are deeply flawed, but the best outcome to my mind from the College Scorecard is that as much as institutions hate the Scorecard, we're now having a conversation about data.

And the question now is if you don't like that data, then what data matters? What data should we be asking? And in my own institution, I'll tell you people immediately start diving into program-by-program analysis, debt by program, earnings by program, really getting a much more nuanced sense of, you know, mea culpa. We should have been doing it maybe earlier, but we're doing it differently and in a more robust way, and I think we have a great position.

I have two questions. I asked the question do the agencies have the broadest array of tools available to them? Because it's hard to imagine them shutting down institutions. Do we

have the broadest array of tools available to us? Are there other sorts of tools because, as more than one person has pointed out, or as Frank said, you know, they don't imagine we would take away. Well, the reality is we probably wouldn't, you know. If it was, to my mind, it was bordering on irresponsible to take City College and remove their affirmation.

It would be equally irresponsible to do what many of those critics said, which is to sort of take away overnight without a replacement the affirmation of ACCJC. So I'm curious, not for today necessarily, but are there other tools we can develop that allow us, give us more flexibility and more agility in terms of how we deal with organizations?

And the second one is could we, is it crazy to think that we could survey the institutions that are covered by an agency? I would be really interested in what those institutions say about their accreditor. There are all sorts of things one might want to ask, but it's

an interesting question, and God knows the tools for doing so are easy; right? I mean it's not--logistically it's not a hard thing to do, but from a procedural, bureaucratic, et cetera, et cetera, I don't know what's available.

CHAIRPERSON PHILLIPS: Anne. I'm going to skip over answering the question right now. But Anne.

MS. NEAL: I guess I'm struck by what we've done over the last few days. We've had political battles in California. We've had a shared governance argument in Idaho. And we really haven't spent very much time hearing from them at all about student learning, and what little we did was not very good.

And I guess hearing the discussion here, well, we're really not going to shut anybody down, what it says to me is we come back to this fundamental problem, which I'm not sure we're going to solve, but hopefully Congress will think about solving, is that this dual role of compliance/enforcement versus peer review doesn't really work

very well, and so I just want to put in another plug for delinking because I think the problem that we're hearing is because these two roles don't fit together very well, and that we're hamstrung in doing the right thing just because of the existing structure.

CHAIRPERSON PHILLIPS: So with that, let me see if I've got my hands around this particular part of our conversation, and Anne's point is a good place to start in my thinking about this discussion.

The agencies have a compliance role that they have to think about. There is this link that compliance leads them to. They also have, and they will tell you regularly, they have an institutional improvement mission, as well, that is separate, not entirely separate, but separate from their compliance, and to date, the review process that we have undergone here focuses on the compliance and leaves these questions about improvement, asking them in ways that we don't have a way--we have not yet had a way to address.

So I want to just put that in the background both as Anne mentioned. I'm not going quite as far as delinking at this point, but those two functions are both there, and they lead to different kinds of vehicles for us.

So what I've heard so far in this is information about data that can and should be available to us, how it's used, and how it's used by agencies, and then how it's used by us.

And I think I've heard a call for having I'm going to call this highlighted data or new report data--I don't have a label for it yet--about what an agency's student achievement standard is, how they chose it, how it makes sense in their context?

We don't have the opportunity to prescribe what that standard is, but we can have some more eloquent discussions about what they've chosen, why they've chosen it, and why it makes sense. So that piece of data, which has not been forefront in our conversation so far, could be part of our conversations.

The second piece of data I hear people wanting to have available is what I call the routine activity and health data. What has the agency done since the last time? How many of this and that? Not just how many agencies, but how many actions? What has the agency done? And then the health of the institutions that it covers? So I'm calling that routine activity and health data. It's not something that we have an opportunity to say you must come to this standard on this data, but it's, you know, the height, weight and blood pressure metric, I'll call it.

We've also recognized that that data comes to us in imperfect forms that we need some training in how to understand it, and we certainly don't want to have a series of agency reviews, every one of which says, well, the data that you're looking at is flawed. That will not be helpful.

So some training about so that we understand the limitations, and certainly that the agencies know what data we have, what--so that they're prepared to either address it with

different data or to provide some context on why this data makes sense or not.

So that's the category of data available, specifically about student achievement, and then this routine activity in health with provisions to address the imperfections of those data.

The second part of things that I hear is what I call data use. So what do they gather and use in their review process? What do they use to evaluate and what do they do with the data that they have? So they may have a completely different set of data than we're looking at. And the ability for us to understand in more detail how they are thinking about the institutions that they're looking at. Some of that is going to be their student achievement data. They're going to tell us how they define, you know, placement or whatever the metric is that they've chosen. Some, as you heard today, ask their institutions to specify it, and so they'd have some kind of rubric about what that looks like.

Again, we don't get to specify what that

is, but we can have some more intelligent conversations about that. So that's what agencies gather and use.

The third thing I want to come back to, and this is the compliance versus improvement function, I think Cam mentioned this, and I heard some other pieces in it, about the tools that agencies have to help the institutions that they think are at risk. And I'm going to use the word "at risk" rather than "low performing." So my information section here is on how agencies identify institutions at risk; how do they know one when they see it?

And then what do they do to help? We don't hear much about the help function although we certainly would like it to happen and to have better student outcomes. So, and again the question of how at risk is defined? I've heard some tensions about, well, maybe we define it or they define it or somebody should define it. It's very difficult to define, but that could be a point of conversation that while it isn't a make or break

issue, it could be, I think, inform a much more intelligent conversation around these issues.

Related to that are the questions of the tools that they have available and a corollary of that is the tools that we have available. So besides the full compliance, yes, you're fine, five years, is there, are there dimensions that we have as options? Some of this will come in the discussions that under the 75 Day Project, as well, will inform us. But to get a better sense of the array of tools that are available and used in ways that might give us a bit more insight into the kinds of improvement actions, not necessarily compliance actions, but improvement actions that agencies or us can do.

So those are the three, the roughly three areas--data available, data use, and improvement areas--that I'm hearing in the discussion. What have I missed? What have I gotten off?

Yes, Hank.

MR. BROWN: I'm hoping you might straighten me out if I'm misunderstanding where

we're at. We have a variety of programs of Federal assistance to higher education. Accreditation then gets to be a requirement to be qualified to receive the assistance. The statute lays out for us a number of areas that accreditation is to be based on.

But we also are blessed with a provision of the statute that says the Secretary may not issue regulations. I think all of that's accurate. In my mind, we have--we, but ultimately obviously the Secretary--we have the ability to not authorize someone to be an accreditor if they don't meet our view of what they should be doing.

You mentioned that we don't have the ability to dictate to them--I don't know if you used the pejorative term; I did--but we don't have the ability to tell them what those standards are that they should look at. Am I wrong in thinking, though, that we can have our own view of what those standards ought to be and deny them renewal because they didn't meet our view of what those standards should be?

CHAIRPERSON PHILLIPS: I'm going to let counsel respond to that because it is, this is the legal sandbox that we're working in. So Donna.

MR. BROWN: Yeah. Have I said it clearly? Admittedly it's--

MS. MANGOLD: It's a path that has to be discerned through the statute and the regulations. First of all, you start at the base that the institution determines how they, the institution-- I'm not talking--not the agency--determines how they talk about student achievement, measure student achievement.

The institutions set those rules, and then at the agency level, this, the assessment for recognition is does the agency have rigorous standards for assessing what the institutions are doing to measure these different things--rigorous standards? So to the extent that the data can inform that question of rigorous standards, it might play into an accreditation or recognition decision.

The second part--but this group, the

Department, cannot set what those standards are. The second inquiry is does the agency as it's looking at its institutions, does it effectively apply its own standards in assessing the institution standards? So this group is looking at rigor, and it's looking at effective application, and then when you get down to the institutional information, it might be in the Scorecard, it might be someplace else, you can look at institutional information but only in the context of is the agency effectively applying its standards?

So that's the rubric that you have to kind of wind your way through so this group can't say 50 percent too low, it should be 70 percent, but as you're assessing that 50 percent, is it rigorous, and does the agency apply that 50 percent in a meaningful way? So I don't know that that really gives you the answer what you can and can't do.

MR. BROWN: It does exactly. Thank you. That's helpful. In other words, if we ever say no to anybody, we have to be very careful in the way we phrase it.

CHAIRPERSON PHILLIPS: That's right.

MS. MANGOLD: Well, I think that you have to act within the regulations, and it is not the role of this Committee to set those standards.

MR. BROWN: Thank you.

MS. MANGOLD: Okay.

DR. LeBLANC: So there is an internal paradox that says we can decide rigor so we can say, no, 30 percent is not rigorous enough, but, by the way, we can't tell you what is.

MS. MANGOLD: You can make a determination as to whether they have rigorous standards. They have to have rigorous standards, and then do they apply those standards?

DR. LeBLANC: So they just keep inching up their number until we say "bingo," that feels rigorous.

[Laughter.]

MR. BROWN: You're a troublemaker, Paul.

CHAIRPERSON PHILLIPS: So the corollary on that, I believe, is that while neither we, the staff nor the Department, can say 50 percent is the

standard, we also can't say that graduation rate is the standard.

MS. MANGOLD: That's right.

CHAIRPERSON PHILLIPS: So we can't say the dimension on which this is. So, again, this is, this is trying to craft a broader conversation that makes more, gives more meaningfulness to how we're thinking about the quality of the education that is being provided without crossing the lines that the law and the regulation put around it and that put around the accreditors, I might add, also.

I've got Donna and then John.

MS. MANGOLD: I just want to say one other thing is that to the extent we've been listening to different agencies, you can see the difficulty in really trying to set, this group setting benchmarks, because the midwife group had very specific percentage levels that worked for them because they're accrediting a smaller, a more defined group of institutions. That same rubric wouldn't work for one of the other agencies that is accrediting a much more diverse group. So that's

what makes this task here more difficult because it has to be so individualized--the assessment.

CHAIRPERSON PHILLIPS: Okay. John and then I'm going to do a break for lunch and pose an invitation to come play with some words. John.

DR. ETCHEMENDY: So my general counsel always tells me be careful when you disagree with a lawyer about the law, but it seems to me that--

[Laughter.]

DR. ETCHEMENDY: --the constraints on the Department and the constraints on the Department staff about what kinds of decisions they can come to should not be transferred to NACIQI. NACIQI is an advisory board. So suppose we look at the discussion that came up that Arthur was asking about, you know, or I forget who it was, but why 50 percent, why 60 percent, and so forth and so on, and that's a perfectly reasonable thing for us to ask, and it seems to me it would be perfectly reasonable even for us to express our opinion that, gee, that seems too low.

Now, the agency, the Department can't say

50 percent is too low, but we should distinguish between what an advisory committee can or can't say and what the agency can or can't legislate. And it seems to me that in these cases--

CHAIRPERSON PHILLIPS: What the Department can't legislate.

DR. ETCHEMENDY: Pardon?

CHAIRPERSON PHILLIPS: What the Department can't legislate.

DR. ETCHEMENDY: Department. I'm sorry. Department. It seems to me that looking at these global measures, what are we trying to do? We're trying to get accreditation agencies to assess the quality of institutions and guarantee the quality of institutions, and there are a lot of very detailed regulations that attempt to achieve that.

But then in the end, there are global measures, and this--I like Susan's comment about height and weight and blood pressure--but there are certain global measures that indicate that there's a problem that maybe in spite of the fact that you're meeting all of these things, there's some

problem because you seem not to be achieving that with the institutions under your purview.

And I don't see why we can't challenge an agency about that. I do see why the Department can't de-recognize an agency perhaps because of something that doesn't, that is over and above the actual criteria, but I think we can--we can challenge that.

CHAIRPERSON PHILLIPS: Let me just respond to John with an appreciation of the array of things that we can ask, and the opinions that we can hold and voice about the information that we receive, and then there's the question of the recommendation that we make, which is our task, to the Secretary, and given the number of times, the kind of response that I have seen the Committee have when the Secretary does not correspond to our decision, doesn't uphold our decision, I wouldn't, I wouldn't really want us to be in a position, this group to be in a position of advancing a recommendation based on a set of procedures or criteria that we know in advance that the Secretary does not and

cannot respond to.

DR. ETCHEMENDY: Right. No, I agree.

CHAIRPERSON PHILLIPS: So just a caution.

DR. ETCHEMENDY: No, I agree with that.

And maybe it would be inappropriate for us to recommend say the derecognition of an agency in spite of the fact that they meet all of the official criteria, but we can make a recommendation, for example, to the Department that, gee, maybe we should be looking at these criteria. Why is it that this agency is getting through when it seems that the more global measures indicate that it's failing? That's a different kind of recommendation.

CHAIRPERSON PHILLIPS: Yeah, yeah. And that speaks to the tools, the array of tools that's available to us that I think Paul had mentioned, and just a reminder, it's not the Department that created the regulations.

[Laughter.]

CHAIRPERSON PHILLIPS: So they're living the same we are. Paul and, Kathleen, I had cut you

off. I'll come back to you in just a moment, and I really am going to break for lunch so you can also check out, and then I am going to ask you to come back. Okay. Paul.

DR. LeBLANC: I apologize, Kathleen, but my follow-up is actually to John's point. I'm curious to get Donna's reaction to this. So if we said your 30 percent graduation rate is too low, that's problematic in terms of the Department then sort of saying we take that recommendation. If we say walk us through how you get to 30 percent, and you have benchmarks for the sector that are routinely 60 percent, and we don't like the logic, it seems perfectly reasonable to me that we could say to the Department, we don't think rigor was sort of applied here in coming up with their own internal benchmark.

We're not saying the number is wrong. We're just saying there isn't rigor behind the thinking. That's more workable.

MS. MANGOLD: I think--

CHAIRPERSON PHILLIPS: Microphone. Herman

also.

MS. MANGOLD: I'm sorry. I certainly think that as long as you are within the regulatory framework, you're making an advisory recommendation, it would be certainly something to take into consideration that was reasonably, if the discussion, if the record reflected a thoughtful reasoned analysis of that, and it's an advisory recommendation. As long as you're pinning it on one of the regulatory standards. And rigor and effectiveness, reasonableness, those are relevant. The problem is they're amorphous, and they're in the eyes of the beholder.

CHAIRPERSON PHILLIPS: Perhaps even many beholders on this group. I have Kathleen--I'm sorry--Herman, Kathleen and Anne.

MR. BOUNDS: Real quick. We have in the past have challenged agencies when they're out on those fringe areas. When you look at most agencies now, they're really not. I mean you look at--there may be a group with a 50. There's a group with a 60. So they're coming into these, you know, ten-

point ballparks for the folks that actually have some numerical data.

Been working with Sally and OGC and on some other things. We've kind of determined that we can take like agencies and say if we found those situations, you guys accredit, you're a national, you accredit these same type of occupational schools, we can look and see if they are so far apart and make them explain that as part of their petition. The problem is when you get into the single purpose, one type agency, there's really not another comparison to compare them to.

I think that if we would see any agency say at a 30 or 40 percent rate, even if they were a professional agency, we would ask them to explain how did you come up with that number? Was that driven from your industry advisory committees-- because that's what a lot of them do. Tell us kind of how you came up with that.

The problem is, is that once they come in with some data about how they came up with that, where do we go from there? Can we say that the 30

is too low?

And the last thing, I just wanted to respond to something that Ralph said, which was really great, and I didn't, and I'm sorry, Ralph, that we are now--working with Sally, too--we can now, you know, ask institutions to supply documentation for specific schools if we see something there. The problem is, is staff capacity, and there's only six guys, or six people, not guys, and then, secondly, is that, you know, we don't have a lot of that data.

We don't maintain data on the 1,500 schools that NACCAS collects internal with the accrediting group so it's in the course of a review going out and trying to find that information. I think somebody else brought up before we use the data, too, we want to make sure that it's accurate because we don't want to put anything down that the agency then can come back and say and say, well, that's not correct. So it's just a little more than collecting it and then briefing on it. So I just wanted to bring that up. Thank you.

CHAIRPERSON PHILLIPS: Kathleen and Anne and then lunch.

DR. SULLIVAN ALIOTO: I'd just like to say how wonderful it was this outline that you just put together for us, Susan, and put together all these different thoughts in such a clear way. So thank you, and thanks to Jennifer and Herman and this wonderful staff, the diligence of their work.

And I'd also like to suggest, which is just part of what you suggested, Susan, is what do they do to help? Well, what are the achievement, the achievement challenges of the institutions you accredit, and what have you done to help them achieve their achievement goals? So thank you very much--exciting meeting.

CHAIRPERSON PHILLIPS: Anne, you have the last word before the lunch.

MS. NEAL: Yes, since I'm between us and lunch, I think this conversation about the benchmarks has been immensely helpful. I guess where I think we run up on the shoals and rocks of whatever is that the benchmarks really apply to

nationals and essentially for-profit accreditation, and the benchmarks do not apply when we're talking about regionals, which are three-quarters of all the Federal aid.

So I think it's a good conversation that we can have, but it's only a small percentage really of what we're dealing with.

CHAIRPERSON PHILLIPS: It is always good to be reminded that the regionals and the nationals and the specialty accreditors function very differently. Thank you.

I'm going to break for lunch. I'm going to call it a 45-minute lunch so we're back here at 1:30, if you can. As you go and get your lunch, if you would like to come back and be part of a little working group to develop some language that we might be able to get a list under those three rough areas that I mentioned about questions that we'd like to pose, data that we'd like to have, so that then we come back, we can consider that list and leave here with a working document which I'm sure we'll have adjustments in the times to come.

Okay. So you're welcome to come. You're welcome to join here, bring your food back, and otherwise we will all reconvene at 1:30.

[Whereupon, at 12:40 p.m., the NACIQI meeting recessed, to reconvene at 1:39 p.m., this same day.]

A F T E R N O O N S E S S I O N

[1:39 p.m.]

CHAIRPERSON PHILLIPS: I understand it is now 1:39 so just a quick update from the lunch editing crew. What you can see on the screen is what we have so far. I'm going to preface this by two points: one urgent plea on the part of the Department to make sure that whatever we ask is within their capacity. That seems an important feature. The second is a reminder from counsel that the scope of our inquiry on the occasion of a compliance report is a little different from our scope of inquiry on a renewal of recognition petition, and so I cast this as a full recognition renewal petition only.

MR. ROTHKOPF: Question. Is the Department's concern capacity in terms of legal or is it the--

CHAIRPERSON PHILLIPS: Or people power.

MR. ROTHKOPF: People.

CHAIRPERSON PHILLIPS: All of the above. Well, no, actually it was the people power.

MR. ROTHKOPF: Okay.

CHAIRPERSON PHILLIPS: What's possible to produce.

MR. ROTHKOPF: To do this.

CHAIRPERSON PHILLIPS: Yes. Just a thank you for clarifying that. In the course of discussion, it's also clear that there's both a very short-term opportunity agenda to see what we can put into place for June, and then there's a larger how agencies think about their institutions' agenda, which might well be informed by how our June conversation goes and how this data collection goes.

So you'll see a little further down some ideas beginning about what might go into that longer-term agenda, just so that we don't lose that. Yes, John. Mic, please.

DR. ETCHEMENDY: This doesn't have to be recorded in the Congressional Record.

CHAIRPERSON PHILLIPS: Well, they all are.

DR. ETCHEMENDY: Could you blow that up-- the font size on that--so that people in the

audience can see? Just do "select all" and, yeah, right. And will that now be on the Congressional Record, I want to know?

CHAIRPERSON PHILLIPS: It will be recorded for posterity, as will this comment. So, as you remember, when I did the quick summary, there was data that we wanted to have available to us, information then what we wanted about what was done with data, and then the improvement section. So it's in those three zones.

This one is the data available to us. The first section, if you can scroll just to have the student achievement part fully up, is a set of four questions about specifically focusing on student-- we want to have this front and center for us.

Obviously, some of those are questions that the staff can provide from the routine review, and some of them are conversation points for an agency as they're before us.

Comments on student achievement before I go on? Yep. Ralph.

MR. WOLFF: It's a very, you know, student

achievement can mean a lot of different things. I guess one of the things that we heard was it's not only--how do we define rigor is how were the standards applied, and one of the things I'd be curious about, and I don't think it's in the questions below or the data sets is actions taken with respect to student achievement. I mean in the sense of the data on citations. You know I think one of the criticisms, at least of regionals, has been that most of the decisions are based on finance, governance, planning, and so how would we get--it's a broad question--but how do we get a handle on the decisions that actually relate to the achievement standards?

CHAIRPERSON PHILLIPS: Thank you. I think there's a place a little further down where we can add that in. Yeah.

So let me go down to the routine activity and health data. This is height, weight and blood pressure. The suggestion here was first to ask for the definitions of how they categorize their institutions, how they--what groups they think of

them in, and it might be small, medium and large. It might be rural, urban, whatever it might be. Minority serving. It might be high poverty. It might be whatever it is that they define it and think of it.

This is attempting to capture the response that we often hear of, well, but for an institution like that, X, Y and Z. So we want to know what the "like that" is.

For each of those categories above, the number or proportion of institutions that fall in the high, the low, average or high. That's currently in thirds. We don't--that might not stay that way--on these metrics. So actions taken since the last rerecognition, and so what we could do, Ralph, there is add the "and those specifically related to student achievement" metric.

And then the percent of Pell eligible, percent of Pell completers, grad rate, recognizing that that one is rife with many definitions. Average debt incurred, average repayment default rate of the institutions. That's for within each

of those categories, whatever their categories are.

We also suggested having, finding out whatever available benchmark or comparative data to those health activity metrics there might be, and I don't know how to define that at this point, but-- and then being mindful that we want to make sure that agencies know what data we have and be invited to supplement or replace or provide alternate data that might be, they might think is more accurate or reflective.

And, ultimately, we might even ask agencies to collect this information routinely from their institutions and report it to us. That's the longer-term agenda.

DR. SULLIVAN ALIOTO: Susan, in terms of what data we have, is that all on-line so that the Department isn't bombarded with these requests?

CHAIRPERSON PHILLIPS: I'm going to ask staff to respond to that. We do have in the Scorecard most of the data that we've talked about--the health and metrics, the health and activity metrics.

DR. HONG: Yeah, pretty much all the matrices that were listed are available except for the agency decisions which are available on their website.

MR. BOUNDS: Yeah, I would just like to say one thing. As far as the capacity load, as we are currently organized, we are at about as much as we can do. We have especially, with the new executive actions that the staff is involved with, it would be pretty difficult for us to take on an additional assignment. You would probably need a data team to collect this and put this in a form that you need.

DR. LeBLANC: So can I ask a question? We keep coming back to that. Why wouldn't you ask the agencies to collect this data? It seems to me the onus is on them to be able to pull their data together. It shouldn't come to your team at all.

MR. BOUNDS: Oh, I agree, and if, I think that would have to go out as maybe a NACIQI memo. I'm not sure of all Department procedures, but, you know, for that to go out through the Department, it

would have to probably go through some type of clearance process, who's going to send that information out, and I think it would be a different path. I'm not sure what that path would be to get it.

DR. HONG: Because it's an additional request of the agencies, this is kind of a departure from what we've already been asking them to provide, we might run into challenges there.

CHAIRPERSON PHILLIPS: Bearing in mind the capacity, potential capacity issues, let's not be constrained by that right now. Just a warning that there are capacity issues, and we'll get to where we need to get to one way or another. So we'll get there.

Bill.

DR. PEPICELLO: Yeah. Just on the actions taken, if we were going to ask about student achievement, might we not want to know all the categories just to see if there were other trends? I mean if they're going to look for student achievement, they're going to have to look at

everything anyway.

CHAIRPERSON PHILLIPS: I'm not completely sure I'm following you. Could you just come at that again?

DR. PEPICELLO: If you look at the--there we go--actions taken since last rerecognition, and I think it's a good idea to see how many of them are related to student achievement. Wasn't that the recommendation?

CHAIRPERSON PHILLIPS: Yeah.

DR. PEPICELLO: Might we not want to know other categories?

MR. WOLFF: Is default rate on there?

CHAIRPERSON PHILLIPS: It is. It's called repayment rate. Sorry. It's called repayment rate.

MR. WOLFF: Okay. I see it. Thank you. The question I have is, well, like we had agencies yesterday with 1,500 institutions. HLC has 1,100 institutions. Middle States, close to 500 or so. A gross number. So how do we get at the distribution because Princeton will be a very

different rate than Mercer Community College, and so I know that we're asking what types of institutions, but when we look at the data, it's just gross aggregate data that won't tell us much.

CHAIRPERSON PHILLIPS: The intention for the health and activity data is to, once an agency defines what the categories are, what their categories are, so Princeton versus Mercer versus-- then they report that data by that category. So we know what the Princeton group looks like. We know what the Mercer group looks like.

I mean obviously this is data that is a little further down the pike so it will be imperfect before the--Simon.

MR. BOEHME: Yeah. I just didn't want Paul's point to get lost in the mix. I mean I think this is part of the issue that we're addressing, is that accreditation agencies kind of look at us like deer in headlights, and they aren't collecting this information, and I think it's only natural that we ask--I don't think I agree with Herman and Jennifer that we don't put more pressure

on the staff. I think a lot of this information should come from Anne Neal's staff. I think, thank you, Anne, that's great.

No, but in all seriousness, I think that accreditation agencies, and I think we need--we should be sending out a memo from NACIQI letting people know that this kind of information, how they're collecting it, and I think that this should be a part of the package.

CHAIRPERSON PHILLIPS: Just a reminder about the complications of interacting in this public space. When we, I think I mentioned earlier, I think Frank was saying we need to proceed knowing the consequences of what we do, that as we--typically as we, you saw in the policy development process, we put out a draft. We invited comment. Some of that comment informed us in a way that said actually this is poorly understood or this is a bad idea or--and some of it was simply I don't like what you did.

But it is an important participation on the part of the larger community and public to be

able to interact around the new sets of ideas that we're trying to advance. It also allows us to proceed with a wiser base. So there is a period of time that that takes to do that, and, again, I'm thinking about what we can do for June and then what we can do on a longer basis.

So just to be mindful that there's a--we'd like to have actually this data tomorrow. Yesterday would have been nice.

MR. BOEHME: Right. But my comment, I don't think--I don't want my comment to be confused that there was any sense of urgency or rush, but my comment was a response to what Jennifer said that, you know, and Jennifer, correct me if I'm wrong, is that it wouldn't seem appropriate to burden the agencies at some point with that. And I completely agree with you, Madam Chair, that these changes are going to take time, but my issue, though, and I think this is something important to address, is who's responsible for presenting this information?

That's the question that I have.

DR. HONG: Can I respond to that? I just-

-I don't disagree with the concept of them, gathering these data and bringing it before you. I don't know how you can compel them to bring this, so I agree with, you know, you can encourage them. If they show up and they don't have these data, what are the consequences for them going to be?

CHAIRPERSON PHILLIPS: I have Paul, Frank, John, and Rick.

DR. LeBLANC: So we're talking about a kind of data ecosystem that doesn't exist; right? Even the best data we have is flawed right now so I would remind--again, I would say this is a multi-year effort, and there's sort of the June goal, which is probably the data we can pull, they can pull easily, and then if, you know, we said to the agencies in a year, you should know that we're going to ask you this data, and you can guide us, Jennifer, the Department can guide us, on how vigorous we can ask that question.

But remember, a lot of the institutions aren't good at this, and I would actually say if you look at the new NEASC standards, for example,

they're asking for a lot more data than they used to ask for. So the whole thing is moving in this direction, some places slower, some places more quickly, and we'll get some of this wrong; right? We'll do iterations of this where like, wait a minute, that really doesn't tell us what we want to know, can we tweak the data?

So I would urge us to put this as sort of phase one in a multiphase effort that our industry is heading in anyway, but they will need training. I don't know who provides that, but you're going to see schools that can't produce what they're being asked. You'll see agencies struggle to produce what we're asking them. And we need to think about the ecosystem of how this happens, I think.

CHAIRPERSON PHILLIPS: Yeah. Thank you. That's a very nice way of casting this as phase one or a pilot. I can imagine that data that we look at and consider in June, we'll say wait a minute, but we don't have X or but why do we bother with Y? So we will have, be able to shape our process as well as we go forward. So we've got some

aspirations we can see, but they're likely to be shaped, and we'll deal with capacity issues as we go along certainly.

I've got Frank, John and Rick patiently waiting.

MR. WU: So on the issue of how agencies respond and what we do with it and the consequences, I have a simple concrete question. How will whatever we decide be disseminated? Will this be published in the Federal Register? Will it be sent to agencies who appear before us? How will we communicate this? So whatever it is we decide, whatever the language, how does it get put out there into the world?

DR. HONG: I mean you're putting it out right now. I would say that this is the most appropriate venue, and that this is your meeting. Everything is on the public record. This is the announcement.

MR. WU: But there are a dozen people here who aren't us.

DR. HONG: Right. But I mean we have,

this is your forum though.

MR. WU: Okay, but--

DR. HONG: So we can notice it. We'll notice it prior to the June meeting as well.

MR. WU: Okay.

DR. HONG: To include--

MR. WU: Yes, exactly.

DR. HONG: --what the conclusion is, whatever decision that you all reach for June, we'll notice it.

MR. WU: Right. So I guess what I'm asking and suggesting is whatever we decide, assuming we decide something, we need to spend five minutes or so talking about how does it get pushed out in the world? Because we can say anything we want to the dozen people who are kind enough to listen here, but it's not going to change anything in the world unless it's pushed out by some official means.

DR. HONG: The official means is the Federal Register notice that goes out announcing the meeting.

MR. WU: Okay. So this language, so whoever makes a motion, the motion would be that this be published in the Federal Register as part of the meeting notice. Is that--do I have that right?

DR. HONG: I don't think it necessitates a motion, but it will be included. If it's a change in process, it will be included in the--

MR. WU: Got it.

DR. HONG: --notice for the June meeting.

CHAIRPERSON PHILLIPS: John.

DR. ETCHEMENDY: So my comment was going to be--my comment is actually relevant to what Frank just said. It seems to me that however we get this data and probably since maybe we can't force the agencies to do it, some staff will have to do it. We have to make sure that the agencies have it in advance because otherwise it's going to be impossible to have a productive discussion about it.

So anything that gets included in our material that we are looking at when we're

preparing for the NACIQI meeting, they have to know that this is exactly what we're looking at, they're going to have to respond to it perhaps. So--

CHAIRPERSON PHILLIPS: Rick.

MR. O'DONNELL: Thank you. Well, building upon that, and I think, Susan, you kicked us off talking about the distinction, but I think it would be really useful if we decided here that we were only going to look at this information for agencies that were up for a complete recognition. One, because capacity time, but, two, I'd much rather spend an hour-and-a-half with that agency at their full recognition hearing digging into this and just knock through the compliance issues.

And to Ralph's point, let's not surprise people who think they're only coming in to deal with two minor--they may not be minor, but two compliance issues. With this stuff, which is really important, but that should wait till their next full renewal.

CHAIRPERSON PHILLIPS: Yes. Yes, absolutely. And I actually put that in--

MR. O'DONNELL: Okay.

CHAIRPERSON PHILLIPS: --as a stipulation because it is different what we can do with a compliance report versus a--

MR. O'DONNELL: And I did have a second point.

CHAIRPERSON PHILLIPS: Yeah.

MR. O'DONNELL: But if you want to address that--my point goes to Jennifer's comment about how do we compel or can we compel the agencies? And just looking at the handout we got earlier in the week, 602.19(b) states that an agency must demonstrate that it has and effectively applies a set of monitoring and evaluation approaches. These approaches must include periodic reports and the collection and analysis of key data indicators, including measures of student achievement.

So this may not cover everything we want up there, but it seems to me we could, the lawyers could ground in regulation and statute some, a broad swath of what we are asking for. Maybe not everything, but I would go back to this as a way to

compel the agencies because they're already supposed to be collecting and monitoring data. So it may not be exactly what we want, but we can at least see what they're collecting.

DR. HONG: Can I respond? Just that goes back to the flexibility with which the agencies have to apply their monitoring approach. So they might determine--I mean they determine which data indicators, which student achievement indicators are appropriate for their institutions and programs.

So if they don't include any of these matrices in their monitoring approach, then it's not constitutive of, their approach to monitoring, which the staff and the NACIQI have been reviewing as part of the recognition reviews.

DR. LeBLANC: Can we argue that that's not rigorous?

DR. HONG: Yeah. I mean going back to what, the guidance that Donna provided, certainly. I mean you, it's conceivable that the staff and the NACIQI will come to different recommendations, but

I think, and, Donna can speak more from a legal perspective, as much as you can, make the argument that something is not of sufficient rigor and put forward a recommendation. I mean it certainly allows for that.

MR. O'DONNELL: I mean one way to phrase this could be to ask the institutions under their ability to be flexible, you know, when they have designed and measured and analyzed key indicators for the different type of institutions, do they do any of these, and if so report, and if they don't, they can just say, hey, we don't collect and measure it and report it, and that in and of itself I think is very useful information.

CHAIRPERSON PHILLIPS: I can tell in this discussion that there will be intense interest in how we can implement. And there will also be places as we move forward where we bump up against the lines of our box, and we don't know yet where that bump will happen, but I can be fairly sure that once we have a piece of data, we will want to do something with it.

So I'm sure that we'll be coming back to the counsel and to our own sense of processes and capacity in doing this. And again this is step one.

Frank and then I'm going to just go back to my language and see what we got here.

MR. WU: So I have two suggestions, and if they're appropriate, and you can let me know if they should be made in a motion or if I can just ask. The first is whatever we decide, that we ask lawyers at the Department to attach a preface that makes this as legal as possible. That is whatever they need to write, and there are things they can write that will introduce this. So this can't just be a naked statement. There will be a paragraph or two at the front that will say consistent with such and such statutory authority, blah-blah-blah, and somebody who's a good lawyer can write that. I can't do it on the fly, assuming I'm a good lawyer, but that will be better if we have it than if we don't.

So that's the first request. Second is

could we ask for Sally or someone to give us a little five-minute briefing on what exactly are the contours here that we're going to bump against, as you put it, and how can we avoid bumping, or if we can break through in an appropriate way, how can we do that? Cam is a lawyer. Maybe he could draft the magic language. There needs to be a paragraph before this that makes this work.

CHAIRPERSON PHILLIPS: We can address both of those. We can certainly have an appropriate preface. This is obviously a draft document on the fly. It's not something that we've actually concurred on yet and will need some polish in any event.

I'm a great fan of education and the opportunities we will have to educate ourselves, reeducate ourselves and re-reeducate ourselves about the parameters of our scope, and action will be welcomed I think on all counts.

Cam.

MR. STAPLES: I just want to make maybe a broader point along the lines of what Frank said.

Maybe this is implicit, but I think we should empower you, Susan, after today, to work with the staff to try to figure out the best way to present this, and also to work through some of the questions about what's in the capacity of the staff to create versus what should be asked of the accreditors? And I think those are important questions to work out in a thoughtful way with the staff of the Department and then you just implement that for the June meeting.

CHAIRPERSON PHILLIPS: Thank you. I think that's doable. Jen.

DR. HONG: Just to add to that list is to consider whether you want to continue the use of a consent agenda for the next meeting. So if there are agencies on the consent agenda, do you want to ask these questions of everybody?

CHAIRPERSON PHILLIPS: Let's work that out. Kathleen, and then I'm going back and see where we are on this.

DR. SULLIVAN ALIOTO: I want to make sure that we don't do something that's going to take

higher education down that No Child Left Behind nightmare, and that when we're thinking about achievement, that we should have a profound respect for the teachers and professors who are doing this everyday, which is why we want to make sure that the agencies are asking the institutions how they view and how they are helping their students achieve. And I don't know if we have that in there yet, but I'd like--

CHAIRPERSON PHILLIPS: We do. There's an improvement section down, a little down further, a little further down.

DR. SULLIVAN ALIOTO: But the help, part of the help is from individual institutions. I keep wanting to come back to that.

CHAIRPERSON PHILLIPS: Yeah. Let's see if we've got it further down. If not, we can add it. Before we go to improvement, can I just go back up to my health and activity list? It's a list of the information that we have in the Scorecard currently. It's not the whole Scorecard, but it's a selection of it. We won't necessarily be able to

get the--I mean the Scorecard doesn't give us how the agencies define their categories. So there are some things on there that we can't get from the Scorecard.

But I'm wondering if that's--that seems right as the list of blood pressure, height and weight indices that you're looking for? Bill?

DR. PEPICELLO: I would just like to go back to where it says "Actions taken since last recognition."

CHAIRPERSON PHILLIPS: Yeah.

DR. PEPICELLO: We were interested in student achievement, but I don't think we were going to limit it to that.

CHAIRPERSON PHILLIPS: Correct. Yeah.

DR. PEPICELLO: Including.

CHAIRPERSON PHILLIPS: Yeah. Including student achievement. Anything that shouldn't be on that list? Anything that we've left off that list for this first go round? Anne.

MS. NEAL: Four-year graduation rates.

CHAIRPERSON PHILLIPS: What we have here

is a graduation rate that--we can add four in there. I put in three for community colleges, sometimes it's four, sometime's it--I missed four, but I'll add four.

DR. HONG: Just to be sure, though, the IPEDS rate that we have available is the--

CHAIRPERSON PHILLIPS: Is six.

DR. HONG: --is the six year.

CHAIRPERSON PHILLIPS: I understand. This is, this is an aspirational list. Okay. The next section is the improvement section, and this isn't information that we get off of any Scorecard, but this is discussion points that we would like to have with agencies who are coming up for renewal of their recognition.

So this--I'll read for those of you in the back. How agencies identify institutions at risk and work to help to improve them? How do they define at risk? What tools do they use to evaluate at-risk status? And what tools do they have to help at-risk institutions improve?

I don't think there's anything below that;

right? There's one just about us, right? Jen, could you scroll slightly so I can see? Correct. Okay. The last one is just for us. What tools we have?

So this is the how are you addressing the improvement part of your mission, so to speak. And this could be the notices. You know we're going to ask you about this so you could send it to us beforehand or you could come prepared to talk about it.

DR. LeBLANC: So there's nothing there about efficacy; right? I don't know how effective they are. So if I were coming in, I could say, oh, we monitor in this way and we engage in a conversation, but I wouldn't know, sitting here, I wouldn't know what to make of that. I don't know what we could get at that would give us some sense of effectiveness.

CHAIRPERSON PHILLIPS: How well has it worked? We can add that as a question. What tools do you have and how well have they worked and how do you know?

DR. LeBLANC: How do you know?

CHAIRPERSON PHILLIPS: Yes. My sense in this section, actually as well as all the sections, as we listen to the data and the conversation around the answers that we get to the questions that we're posing, we're going to come up with a different set of questions we're going to want to ask.

DR. LeBLANC: Yeah.

CHAIRPERSON PHILLIPS: So, again, be mindful this is step one.

DR. LeBLANC: Ralph and Cam, I'm curious since you both inhabit the worlds that we're affecting here, does this feel onerous? Does it feel doable? Does it feel reasonable?

MR. STAPLES: Honestly, I wouldn't feel comfortable answering on behalf of the higher education accreditors since they're not, they're separate from my, you know, my jurisdiction in NEASC. I don't have any really direction over the higher education accreditor.

But I would say that part of what I would

expect the staff would do is reach out and try to define how this is provided and what's involved in that and what needs to be gathered from institutions versus what they already have in their possession.

CHAIRPERSON PHILLIPS: Ralph.

MR. WOLFF: Is our expect--I'm trying to think of the process here around this point. Are we expecting that agencies would write a written response to this or be prepared to discuss it because there's a big difference in terms of commitment?

If Jen is right, and there is data that can be sent out to them, then, that we, well, I mean, well, you're shaking your head. So the question is, you know, we would be adding to the petition to require them writing to this, and I'm not sure whether that would need to go through the guide, through some kind of process that would be, how that would be done.

I really feel like we ought to pilot; we ought to get feedback. I support what you're

saying that I could see this being an ambiguous request, and that somebody wouldn't know exactly how to respond to meet our needs if they weren't at this meeting, and it could be a very long response that an agency would need to prepare, and if they don't already have the data, to categorize the data would take a substantial amount of time.

CHAIRPERSON PHILLIPS: There's an additional Scylla and Charybdis in this in that if I were an agency that had been accustomed to checking compliance boxes, I would see this as a way to simply reaggregate my compliance boxes and give a response. So when I was asked about what do I do to help, I would point to my actions, my, you know, show cause needs for improvement. I would point to that. It wouldn't get to the concept that we're looking for but would be consistent with the language and processes that we have asked so far.

So there's a bit of a chunk in here. I'm personally imagining, again, being mindful of the need to do be sure that this is understood and noticed and not overly burdensome, that the data

part of this for June, the data part of this, is the data that we have available on the Scorecard that can be simply copied and pasted. And that means it's going to be incomplete relative to the full list that we want because it's not divided by kind of institution.

But that we also then give specifically to agencies that are going to be under full compliance review--I'm sorry--full renewal review at that meeting a list of the questions that we want to be asking and the data that we'd like to talk about and invite them to be prepared to talk about that.

Yes, Jen.

DR. HONG: I didn't conceive of this as a written exercise in response at all, and I would have a lot of concerns if that's what you're thinking. I understood it as a noticing these are the questions that we're going to ask at the next meeting when the agencies come to the meeting.

MR. WOLFF: That would definitely need to be clear in the preface or in the notice that this is not a new element to be added to the petition

for rerecognition.

CHAIRPERSON PHILLIPS: I have Bobbie and Kathleen. Did I miss Rick? Oh, you're okay.

DR. DERLIN: I just, I think the fact that our document is aspirational--this document we've got on the screen is aspirational, and we're also thinking about, well, what we do in June, which is six months from now, I mean that's conceptually a little hard for me.

So I would just like to speak. I think it is appropriate to have questions with notice given to the agencies so that they can be prepared to discuss them, and I think rather than getting in the details of who produces what data and all that, I think people should be directed to the hotlink in the ED Department's page under Accreditation that has all this information. And it is by school, and if an accrediting agency coming for full review chose to take those data and organize them by categories they felt were critical, that's a simple thing to do.

Thanks.

CHAIRPERSON PHILLIPS: And if they chose to, if they chose to not do that and tell us that they were having an agency-wide constituency discussion about what the categories should be, we would understand that they were following their particular process.

DR. DERLIN: That's right, and as Rick said earlier, to a slightly different perspective on this, whatever they have to tell us is going to inform us more than we're informed now.

CHAIRPERSON PHILLIPS: I think I had Kathleen next unless you wanted to stick something in here.

DR. HONG: Real quick, for June, and thank you for making that distinction, Bobbie, for June, if there are going to be a set of standardized questions that are going to be asked of the agencies, I do ask that we, that be motioned and voted on prior to the notice as well.

DR. SULLIVAN ALIOTO: I just want to make sure--I feel like I'm banging--that our goal is to improve the achievement of higher education, and

but the best way to do that is from the institutions themselves who are already thinking about it so I need one question in there about what are the institutions that you're working with, how are they defining achievement, and how are they realizing it so that it's not a top heavy thing. It's coming from the people we serve.

CHAIRPERSON PHILLIPS: And, in fact, that's where the regulation is, is that the institutions define what constitutes student achievement. So we can include that in our student achievement portion.

DR. SULLIVAN ALIOTO: Good.

CHAIRPERSON PHILLIPS: Just to translate that, in the example today of Montessori teacher education, when we asked them about student achievement, they said we ask our institutions to define it, and our next question would be so tell us the array of ways in which they define it. That's what you're looking to get, yeah, got it.

DR. SULLIVAN ALIOTO: It encourages a slightly different kind of behavior from them and

the institutions.

CHAIRPERSON PHILLIPS: Yeah. So I want to come back to the proximal goal of initiating a different conversation in June for agencies that are being visited, coming to us for a full renewal reconsideration, that we pose the questions that we will be asking. We let them know that these are the questions that we would like to be asking about student achievement, that we let them know what routine activity and health data we have on those dimensions, and that we want to ask about their improvement efforts on those dimensions that are mentioned there.

Yes.

MR. WOLFF: Can you tell us how many and who are the ones coming up for full recognition in June? I mean it seems, you know, it's relevant if there's only one or five or ten or how many?

DR. HONG: 14. 14. Maybe 15.

MR. WOLFF: For complete petition for recognition?

DR. HONG: Oh, for renewals? I don't

know. Do you have?

MR. BOUNDS: No, not without looking at the schedule.

DR. HONG: I mean I think it's the majority of maybe--

MR. BOUNDS: I don't know. I'll have to look.

DR. HONG: Yeah, I don't want to guess, but many of them are renewals, yeah. I can check and I'll let you--

CHAIRPERSON PHILLIPS: Were you thinking that the set of questions would be different if there were fewer or more? Or if there were particular ones on?

MR. WOLFF: Well, I'm just thinking about the notice requirement. Everybody has submitted their petition by--what--December 15--

MR. BOUNDS: Of January.

MR. WOLFF: January.

MR. BOUNDS: January.

CHAIRPERSON PHILLIPS: Yes. So this is not an addition to a petition. It is here are the

questions that we want to talk about, and here is the data that we will have.

MR. WOLFF: Yeah, I understand, but we also--accreditors do take it very seriously, and so I'm not opposed to doing it in June. I just want to say that notice would need to go very soon because in looking at the data and figuring out what it means, they may want to discuss it with their commissions and the like.

So I'm just--I think the sooner, but I would want to say that we're experimenting with it in June and certainly not want to rely, evaluate the quality of the responses as much as know that this is the first round of a longer-term engagement.

CHAIRPERSON PHILLIPS: Bobbie.

DR. DERLIN: I have an unrelated question. Under Student Achievement, our first question is what are your student achievement standards, and maybe this is a question for staff. I'm not sure, but we already have criterion. There's a 602. something which talks about the requirements for

standards for student achievement so is this a question we ask of them or do we just want some additional information from the staff in terms of what's being counted for that accreditor toward its meeting the 602. whatever?

DR. HONG: Yeah, I agree. I mean this data, this information, is also available on the spreadsheet that's on the website so it has each agency's written student achievement there. So they're not just, repeating it in front of the Committee, you might want to ask another kind of related question.

DR. DERLIN: So maybe it's a little rewording of this. You know, we would, we want to talk to you about your student achievement standards rather than what are they.

CHAIRPERSON PHILLIPS: Paul.

DR. LeBLANC: If we are asking the questions about achievement standards, it seems to me what's lacking here is an assessment question. So if you were asking this of institutions, we would say what are the claims you make for

students? But the second question we would naturally ask is how do you know? That's the big gap in so much of higher ed.

So to some extent, we're saying what are your standards for student achievements? I'd also want to know how do you know institutions, your member institutions, are meeting those? And that can be answered by, if I were in those shoes, I'd say these are the sorts of proof. This is the kind of evidence. I mean in some ways we're really moving, if I can use the analogy of health care towards evidence-based medicine, we're talking about evidence-based education more and more when we talk about outcomes.

So I don't see an assessment question here: a how do you know? And, again, to the extent that we're asking them simply to be prepared to discuss this, if someone said, these are the kinds of things we're seeing from our institutions, these are the best practices, this is what we'd really like to see, that would be really helpful, like, okay, they're thinking about--again, we're trying

to get at are they thinking about this in the ways that we hope?

CHAIRPERSON PHILLIPS: So just some of the kinds of information that we are curious about is perhaps more information that just isn't as visible to us. It's not that it's not in the petition or even in the criteria, but it's just not in the reports that we get, and we don't--it's just not as transparent to us. So I don't ever want to be in the position of saying give us data that you've already given to Department under item 602. "whata-whata." But to cast it as a broader question that we are--broader discussion that we would like to have. We'd like to focus on this.

Okay. With that in mind, one of the things, as Jen mentioned, that would be important for us to do, if we would like to let the agencies--no, if we would like to use this discussion, hold this discussion with agencies who are being considered for renewal in June, it would be important for us to motion an acceptance at least of the concept, if not--I'm going to reserve the

right to change periods and misspellings--to motion this and formally adopt it as a plan for June leaving aside the how we're going to do it and what the words are and who's going to do it.

If that is something that you're willing to consider, then I would consider a motion, or if there's other discussion? I see--

MR. BOEHME: I, Simon, will make that motion.

CHAIRPERSON PHILLIPS: Okay. Thank you.

DR. LeBLANC: Second.

[Motion made and seconded.]

CHAIRPERSON PHILLIPS: Thank you.

Discussion? You're all discussed out. Okay.

MR. WOLFF: Not a discussion--

CHAIRPERSON PHILLIPS: Ralph.

MR. WOLFF: --but after the meeting, it would be helpful just to have a write-up of all of this to send to us so we know--

CHAIRPERSON PHILLIPS: It would. It would.

MR. WOLFF: --what we have voted for and

approved and the wording of it.

CHAIRPERSON PHILLIPS: It would. It would. Yeah.

MR. WOLFF: But I fully support it.

CHAIRPERSON PHILLIPS: Yeah. I would also note that as we sort of look at this not on a screen but on a page, and I can imagine that some people who look at it who are not around this table might say, oh, but you've got--so this will be a moving process. This isn't exact language, but it is the concept to have the notice that here are the questions that we would like to discuss about student achievement, standards, and about health and activity, and about improvement. Here's the data that we have and go forward in those conversations with that.

Bobbie.

DR. DERLIN: Just so I'm clear, so this moving process means that between now and sometime a couple months or so from now or weeks or whatever, we'll sort of see another version of this or will our next opportunity to see this be when

the meeting announcement comes out?

CHAIRPERSON PHILLIPS: What I would imagine, and I'll ask Jen to put the formal part in this, I would guess probably by Monday a re-version, you know, a prettier version of this would be back out to you to say is this, you know, you still on the same place? And barring some catastrophe that that doesn't look right then, that it would then go in the noticing, and the noticing I forget when it happens. When?

DR. HONG: Typically in April for a June meeting, maybe toward the end of April.

DR. LeBLANC: Jennifer, I have a question for you. I know that there's the formal structural kinds of communications like the notice, but do you have--you must have informal communications of a sort with the agencies because, to Ralph's point, I think it's really important to say, look, this is the beginning of a process. This is the beginning of a conversation. We're signaling in some ways to the agencies that we're going to start asking different questions tied to the thing that we all

have said is really important, which is student achievement.

So I want to sort of both signal and also shape expectation a little bit; right? I mean I think it's critical that we, at least some of us, felt that at least in one agency that we saw before us during this meeting, they were too draconian and a little too compliance, only compliance. It's like we need to do this work, and we're going to ask you these questions because it matters, but we also understand that this is a process. I don't know. It's just my own take on that.

CHAIRPERSON PHILLIPS: Anne.

MS. NEAL: Just by matter of context, I mean we heard a presentation by Ted Mitchell today. We've seen these executive actions. We're not doing this in a vacuum. We are going to be taking the data that the Department of Education has worked very hard to make available, and I'd like to have that put in as part of this context. It's not just coming out of the head of NACIQI. It's coming out of an engagement we've had with the Department

over the last months and years, and that the data that we're relying on has, in fact, been put forward as a major priority and a major effort by the Department of ED. So--

CHAIRPERSON PHILLIPS: I did have a motion, and I didn't have--did I have a second?

DR. LeBLANC: Yes.

CHAIRPERSON PHILLIPS: I had a second. So I'm discussing now. Other discussion points before we move to a vote? We've got our preface, yes.

DR. DERLIN: Anne said.

CHAIRPERSON PHILLIPS: Anne said. No, no, the Department said.

If I could call for a show of hands of support for advancing this as our aspirational, part of our aspirational agenda for June? Those approved?

[Show of hands.]

CHAIRPERSON PHILLIPS: Again, this is all, the larger thing is a work in progress. I think Paul spoke it very well. This is phase one. We will learn a great deal even as we put this in a

form that you can get your hands on a little bit more closely and certainly as we play it out in June, play out the conversation in June.

Yes, Ralph.

MR. WOLFF: I just want to reiterate the request in June, if it would be helpful to have somebody review what the database is for the Scorecard.

CHAIRPERSON PHILLIPS: Yes.

MR. WOLFF: What its limitations are.

CHAIRPERSON PHILLIPS: Yes, yes.

MR. WOLFF: That would really be helpful.

CHAIRPERSON PHILLIPS: Actually we included in this need training around the data, and we will figure out a way to provide that actually before you get the data so that you know what data-how to understand the data that you're seeing, and I expect that the imperfections in the data will be pointed out to us at numerous points.

Okay. I think this concludes our agenda for this meeting, for our December meeting. I appreciate your endurance in lasting for three full

days. Anything else, Jen, that we need to have addressed?

DR. HONG: I guess you and I can sort out, I mean right now we have set aside two days for the meeting.

CHAIRPERSON PHILLIPS: It might be more. Yeah.

DR. HONG: Yeah. Okay. We'll work on operations. Don't book your calendars for the Wednesday before those two Thursday and Friday days.

All right. We will stand adjourned. Thank you very much. Good holidays. See you in 2016.

[Whereupon, at 2:36 p.m., Friday, December 18, 2015, the NACIQI meeting was adjourned.]