

ASSOCIATION FOR CLINICAL PASTORAL EDUCATION,
INC., ACCREDITATION COMMISSION

MS. JONES: Good morning, Madam Chair and Committee members. I'd like to present to you the summary of the petition submitted by the accrediting body within the Association of Clinical Pastoral Education, which I will call the ACPE, or the Commission.

This agency preaccredits and accredits clinical pastoral education centers, at levels I and II, and supervisory clinical pastoral education programs, which I will refer to throughout the presentation as CPE programs.

Currently, this Commission accredits 254 centers along with their programs. Recognition by the Secretary enables ACPE and its accredited centers and programs and/or students of these programs to participate in non-HEA programs, such as the International Exchange Visitors Program administered by the Department of State and the Veterans Educational Benefits Program, or the GI bill, administered by the Department of Veterans

Affairs.

Therefore, ACPE is not required to meet the separate and independent requirements. The ACPE Accreditation Commission has received continued recognition since 1969. Its last grant of recognition occurred in 2001. The Secretary requested the agency to submit an interim report, addressing one compliance issue involving the systematic program to review its standards, and later accepted the agency's interim report in 2003.

Our current review of the agency's petition for continued recognition found several compliance issues.

For example, the agency needs to develop or strengthen its standards regarding student achievement and the centers' records of student complaints. As well, the agency needs to develop a process for investigating complaints against itself in the programs and centers it accredits.

And finally, the agency needs to demonstrate its implementation of the revisions that it has recently made to a number of its

policies in response to the initial findings of the staff during the review process.

These revisions adopted at the agency's decision meeting last month centered on the requirement that the agency notify specific entities of various accrediting decisions named in the criteria.

And lastly, the agency needs to revise one new policy that lacked the specificity required by the criteria and demonstrate compliance.

The Department received eight written comments opposing the agency's petition for recognition, for renewal of recognition. The topics included program length, satellite centers, admissions, the link to Federal programs, and the First Amendment to the United States Constitution.

Some of the commentators' concerns pertain to criteria not applicable to a programmatic accreditor.

I'd just like to summarize a few of their concerns. Commentators would require the agency to comply with two criteria applicable only to

institutional accreditors, namely, program length and satellite centers. In each instance, this programmatic accreditor cannot violate inapplicable recognition criteria.

Commenters allege that the agency has committed libel and slander and possibly a restraint of trade for advocating that Secretarial recognition is an endorsement of the quality of its educational programs.

They also infer that others may perceive training programs offered by other clinical pastoral education organizations not recognized by the Secretary as inferior. Neither of these allegations, again, violates the criteria for recognition.

Commenters claim that the agency has publicly advertised that its official recognition by the Department of Education and the Secretary uniquely enables ACPE and their accredited programs to participate in a Federal reimbursement program.

The commentator, however, did not provide evidence to validate this allegation. However,

under the terms of the Higher Education Act and other Federal legislation, an institution or program is eligible to apply for participation in certain Federal programs if, in addition to meeting other statutory or regulatory requirements, it is accredited by a nationally recognized accrediting agency.

Another commenter mentioned the educational and experience criteria required as part of the admission into an ACPE accredited clinical pastoral education program or a supervisory CPE program. However, the commenter didn't explain how or whether the agency's admission standards, procedures or policies in some way violated the criteria.

And finally, another suggests, among other things, that the recognition of this Commission would be an establishment of religion, in violation of the First Amendment.

And as you know, the Secretary's recognition does not address the existence or non-existence, validity or lack of validity of any

agency's religious beliefs.

Department staff believes that the agency has already taken proactive measures toward achieving full compliance with the criteria by revising several policies identified in the draft and they did this during the decision meeting, which ironically occurred shortly after receiving the draft staff analysis.

So the timeliness of this meeting enabled the agency to immediately adopt policies and establish task committees to address the remaining concerns.

Therefore, Department staff recommends the renewal of the agency's recognition for five years and requests that the agency submit an interim report by December 6, 2007 on the issues identified in the staff analysis.

Members of the agency are present for questions or comments. This concludes my presentation, and I will answer any questions that you may have. Thank you.

CHAIRPERSON D'AMICO: Thank you, Ms.

Jones. Are there questions from Dr. Keiser and Ms. Newman?

DR. KEISER: Joyce, thank you for a very comprehensive report. A couple of questions. The first one is how is the agency--you have in the report that the school needs to have developed a threshold level for outcomes--assessing compliance with the program student achievement standards.

MS. JONES: Uh-huh.

DR. KEISER: How, what kind of steps are they taking? You said they took a lot of steps to fix these issues. What steps did they take to fix that problem?

MS. JONES: That's the task force that has already been developed. They identified that task force during the Commission meeting in response to the staff analysis.

One of the things that I found with respect to what they currently have is they've identified competency levels for each of the units that they offer, but they haven't identified what it is that they expect out of these competency

levels for their graduates and their students, and so they're working on that now. They've put together a task force.

DR. KEISER: I have no other questions. I have questions for the agency.

MS. FISCHER NEWMAN: I don't have any questions for staff.

CHAIRPERSON D'AMICO: Thank you. At this time, are there representatives of the agency available? Good morning.

MS. SNORTON: Good morning.

MR. DURSTON: Good morning.

CHAIRPERSON D'AMICO: Please introduce yourselves.

MS. SNORTON: My name is Teresa Snorton. I'm the Executive Director of the Association for Clinical Pastoral Education.

MR. DURSTON: My name is Deryck Durston. I'm Associate Director of ACPE.

MR. JOHNSON: My name is David Johnson. I'm the chair of the Accreditation Commission of ACPE.

CHAIRPERSON D'AMICO: Do you have a statement?

MR. DURSTON: The agency thanks the Secretary's staff person, Ms. Joyce Jones, for her comprehensive report and her consultation in the process of responding to the initial draft.

Several issues have been lifted up in the report that had not been noted in any previous review since we were first recognized in 1969. However, we are grateful for the opportunity to review our standards and procedures in light of these issues, and anticipate that our accreditation process will gain in clarity, consumer friendliness and quality control by doing so.

The three issues of compliance, which we will need to take some time to address, are each issues that are being attended to and will strengthen and streamline our policies and procedures as an organization.

The first is the need to demonstrate that we have developed a standard with a threshold level capable of assessing the compliance of a program or

center to the student achievement standard.

The second is the need for an accreditation review that addresses the record of student complaints at a center to determine whether the clinical pastoral education programs and centers meet our educational requirements.

The third is the need to develop and implement complaint procedures for addressing complaints against programs and institutions related to violations of the agency's educational standards and procedures and to develop and implement complaint procedures for addressing complaints against the agency.

Each of these needs have already been discussed last month and work groups of the Accreditation Commission and Standards Committee have begun to devise our response.

We expect this work to be completed by e-mail and telephone in the next three months and be submitted to the Accreditation Commission for review and acceptance in early May 2007.

These new policies and procedures will be

inserted in the Accreditation Committee Commission Policy and Procedure manual after that point, and will be submitted to the Secretary next June in preparation for the December meeting.

The next three issues of compliance are related to revised policies for the notification of accreditation decisions. We are aware that since these policies that have just been adopted at our November 2006 Accreditation Commission meeting, we will need to report to the Secretary our implementation of these policies.

The final compliance issue is the need to revise our newly adopted policy to notify the Secretary within 30 days of its positive accrediting and provide an explanation of why the negative decision of another agency did not preclude ACPE from making a positive decision.

This revision has been completed and will be submitted for review and acceptance by the Accreditation Commission in May. In response to third-party comments received, all but one are written by members of another pastoral education

organization, some of whose members are also members of ACPE.

Given that this organization has not chosen to submit its accreditation standards and procedures for review by the Secretary, and that for this organization, accreditation is assumed because of the certification of the faculty person, and also that because of their decentralized structure and lack of a consistently implemented definition of a unitive education, ACPE has not found a way to recognize their educational programs and centers.

This has resulted in the sort of criticism embodied in the written comments. ACPE is proceeding with plans to enter dialogue about the perspective of both our organizations including frank discussions on the issues mentioned.

We continue to believe that accreditation and its review by an outside organization is an important part of our quality control and improvement.

The other comment received relates to the

assertion that recognition by the Secretary would imply an establishment of religion in violation of the First Amendment of the Constitution.

While we disagree with this commenter's assessment of our agency's purpose, we also dispute the validity of an opinion not related to the Secretary's criteria for recognition but to the individual religious beliefs of our members over which we have no jurisdiction as an agency.

We would be glad to clarify or answer questions the Committee may have for us. Thank you.

CHAIRPERSON D'AMICO: Thank you. Dr. Keiser.

DR. KEISER: Thank you for appearing before the Committee today. I have a couple of questions regarding the concerns, one of which was an allegation, and I couldn't determine the answer in the narrative, where they allege that you sold almost kind of franchised centers that were accredited. Could you discuss that? Sold recognition.

MR. DURSTON: I don't recall those words.

DR. KEISER: Actually those are my words.

MR. DURSTON: Yes.

MR. JOHNSON: I think it says "for sale" or something like that in there. We have a process of allowing other institutions to begin a program, our program by contracting and forming a relationship with an accredited program. It becomes like an extension campus of the program of the host center. We call that a satellite. That's our nomenclature.

We use extension in another way so we can't use the word "extension" campus. They see that there are some satellites that have a financial component to that because there are student fees. Sometimes, the host center will actually send the supervisor, the teacher, out to that place. Sometimes there's just a range of ways those things are organized.

So there is--the only thing I could figure out with that is that in the contract, there are some contracts that have financial obligations to

those because we charge for a unit, and they have to pay for the unit. Who's going to pay for the unit of education? Is the host center going to pay for it? Is the satellite center?

That's the only thing I could understand that they were calling "paid for" because there are contracts that a transfer of funds is based on that. There are other contracts there is no transfer of funds. So I didn't quite know how they got to selling the center. There's no selling of our education. There is no selling of the accreditation. They are nonaccredited. The accreditation is the host center that is forming the extension campus.

MS. FISCHER NEWMAN: But the extension campus is not accredited until such time as they-- it's just a way to start up a new school?

MR. JOHNSON: Yes, it takes them a minimum--the fastest they could do it is a year, but most of these take several years to move toward their own because they had to meet the criteria, all the criteria.

DR. KEISER: I'm still a little confused. Are these satellites, which you give them an official recognition as a satellite?

MR. JOHNSON: I don't know if it's official. Yeah, that's a different--

[Laughter.]

MS. SNORTON: Well, there is a process by which that satellite agreement has to be executed, and there are certain components that are necessary in order for it be considered a legitimate satellite, but they are not recognized as an accredited center.

The host center assumes all responsibility for all of the standards being implemented at that satellite, and then the satellite simultaneously would be developing its own self-study and beginning its own preaccreditation process and then eventually move to accreditation.

DR. KEISER: Now, can the satellite be of a different ownership than what is the main campus that it's accredited from?

MS. SNORTON: It could possibly. The way

I think this is happening more frequently is in geographical areas. So, for example, there may be two institutions. One has an accredited program. The other one is interested in forming an accredited program, and it may not necessarily be owned by the same entity, but geographically it makes sense for them to partner with an accredited program first as they establish their own accreditation.

In other cases, and this is becoming more frequent, I think, some of the satellite programs are actually coming about because of the merger of institutions and the formation of health systems, et cetera, and so one previous portion of the health system of the newly established health system may have a program. The other one doesn't, and in those cases, they're under the same ownership.

MS. FISCHER NEWMAN: Let me ask a follow-up to that. So let's say you have the accredited program and a satellite is formed or there is some affiliation and a student at the satellite, when

that student graduates from a satellite, is the degree from the accredited program or the satellite program.

MR. JOHNSON: The recognition the unit is given is probably from the satellite program, but the student fees and the student belongs to the accredited program. I mean they may put, on the certificate, they may put the pastoral care department of that particular hospital on there.

But the student unit is paid through and if there's a problem with that satellite, the host center is responsible for that program. It is the host center, it's the host center's program.

MS. FISCHER NEWMAN: Is it possible that the allegation is that students are able to get degrees from an accredited institution while not attending one?

MS. SNORTON: Well, first, we don't offer--we don't grant degrees. We grant completion of a unit. But the host center is the one who reports the unit, and the host center is the one who is responsible for all of the elements in the student

handbook, and essentially what functionally would happen with the student is that generally just their clinical hours would be done at the satellite location.

MS. FISCHER NEWMAN: So they really are attending the host center?

MS. SNORTON: Yes.

MS. FISCHER NEWMAN: And there is no unit certification from the satellite center?

MS. SNORTON: That's correct.

MR. DURSTON: Correct, yes.

MS. FISCHER NEWMAN: But the satellite center is not accredited. I'm confused.

MS. SNORTON: But the satellite subject would have been subject to a site visit by the Accreditation Commission before that satellite agreement would be accepted and before students could enroll in that satellite that is under the auspices--

MS. FISCHER NEWMAN: Then once the satellite--let's say, for example, the satellite becomes accredited, then the satellite can set up

more satellites?

MS. SNORTON: No, no.

MR. DURSTON: Absolutely not.

MS. SNORTON: A satellite cannot have a satellite. Only--

MS. FISCHER NEWMAN: A satellite would then become a host center?

MR. DURSTON: Host center, could be.

MS. FISCHER NEWMAN: So once it's accredited, then it can set up--

MR. JOHNSON: If it chooses to do so.

MS. SNORTON: But it can only do that by following the process and the procedures of the Accreditation Commission.

MR. DURSTON: There needs to be a student handbook that is particular to the satellite site as well. That's another requirement.

MS. FISCHER NEWMAN: But I guess my question is somebody attending the satellite site is really getting their certificate from the host center?

MS. SNORTON: That's correct because the

host center is responsible for implementing all the elements of the program. They may assign those to a faculty person who is located at the satellite, but it is ultimately the responsibility of that host center to provide all the educational components of the program.

MS. FISCHER NEWMAN: You rely on the host center for all the information and all the data and all the--

MS. SNORTON: That's correct.

MR. DURSTON: And if there are any issues that come up, it will be the host center that will be assigned notations to work on.

MS. FISCHER NEWMAN: So, yeah, but so the argument I would assume this individual or these people are making is that you are allowing students to attend nonaccredited satellite centers and getting certificates from an accredited center?

MS. SNORTON: Well, if I may be candid, I think the complaint evolves out of the fact that some of those alternate CPE programs wanted to be satellites and were not granted that status because

they did not comply with our standards and our criteria.

DR. KEISER: That may be, but our concern or my concern is that a host center can basically franchise satellites and all of those students get a degree from an accredited institution, and you have basically provided the responsibility to see that the quality of the program is now not the accrediting agency's but the host institution?

MR. JOHNSON: Well, the quality of the program is still they have to provide us with the student handbook. They have to provide us with the contracts. They have to provide us all this up-front to make sure that what is being established there, and then we also have the site visit. So we are overseeing that process.

That is not just a go out and create a center somewhere and it blossoms. In fact, we have, we keep very tight control for that very reason. We do not, we do not want it to be seen that you can just say I want to have a CPE center over here and start one. There are, before you

ever get started, we have the criteria they have to meet.

MS. FISCHER NEWMAN: I don't have a problem with what you are doing at all. I think it's terrific. My issue is the fact that they are attending a non-accredited program and getting a certificate from an accredited program. That's all. They may meet all the standards, but it's not accredited, and so when you have someone attending an off-site center that is not yet accredited, you know, maybe what it really is just another campus to an accredited program.

Maybe the problem we're having here is how it's being set up and described, but if you are in a sense franchising, you know, a campus and then having the degree come from the host center, that's not the--I don't believe that's the intent. On the other hand, if what you have is just a satellite, a campus that's all part of one, it would be different.

My concern is that it's--you see what my concern is?

MR. JOHNSON: Yes, because I'm getting-- I'm kind of confused with what you're asking because it is an extension campus. That's how we understand it through the regulations.

DR. KEISER: It's not commonly owned necessarily,

MR. DURSTON: No.

DR. KEISER: Let me ask you this. How long does a--if a new program wanted to become accredited, how long do they have to be in operations prior to getting accredited?

MR. JOHNSON: Well, the quickest that they could get accredited would be, they would have to be in operation at least a year. They'd have to do at least four units, and that usually takes a year, but most of the time it takes them awhile to get their program up and running before they have students, but once they start having students, it has to be a minimum of four units. So we're talking about at least a year, but usually it's longer because most of these are growing their program.

DR. KEISER: Can a satellite circumvent that time span because it's under the auspices of the host?

MR. JOHNSON: No.

MS. FISCHER NEWMAN: We might want to, maybe need to ask the staff another question if that's possible, Joyce? How did you analyze this issue of satellite campuses of students receiving degrees from the host center but attending a satellite campus that wasn't accredited?

MS. JONES: I didn't in the terms of the requirements of the criteria. Since this is a programmatic agency and branch campuses and the requirements of the criteria were not applicable to them. The observation that I had at the decision meeting of how the agency noticed that the concerns that you all are rising had arisen by both establishing satellite centers, office satellite centers that were not approved by the agency. They were just sort of like renegades out there establishing centers, and I think that that's what I'm hearing your concerns.

And the agency has proactively taken up a position that it has presented to its board of directors to try to stem or stop or prevent these centers from just vicariously arising. So in that regard, I was satisfied that the agency had at least recognized what you all are talking about and developed a plan that the entire board of the agency is developing to hopefully stop this kind of thing from happening.

MS. FISCHER NEWMAN: I guess my question is how do you deal with someone receiving a certificate from an accredited entity that did not attend an accredited school?

MS. JONES: In terms of what the agency explained during the Commission meeting, because satellites was on the agenda, I got the impression that the agency actually had control over those satellite centers, that it knew about and had, in fact, evaluated them prior to any application or any students going in so that there was some insurance that this satellite from an accredited center was, in fact, offering quality education.

So I did not assess it. I know what you're asking, but I did not assess it because I didn't see branch, quote, "branch campuses," which is what I thought that this discussion was about in that context, so I didn't assess it, but I thought that the agency addressed it.

DR. KEISER: If I read the complaints correctly, it's just the complaints were concerning the satellites, one, representing that they were accredited when they were not; secondly, the host branching and with uncommon ownership, and there was kind of no control over that process. That was part of the complaint. And then the advertising that the branches, which are now under separate ownership, which may or may not be controlled by the host, were misrepresenting their position.

And that would be to me a serious concern for an accrediting agency that doesn't have control, especially when you have a host selling a satellite to a different ownership, and not having, I mean there are corporate barriers and it's not as clean in terms of enforcement, and especially when

you don't accredit the satellite.

MS. SNORTON: Well, in executing the satellite agreement, the ownership, the administrative ownership, has to sign off on that so there is an agreement, not just at the program level, but at the administrative and ownership level of the two institutions if that's the case.

So in our estimation, that provides for some greater level of accountability than just the individual program itself or the individual who's responsible for implementing that program.

I was going to make another comment. In cases where we have found that there has been misrepresentation or even an appearance of misrepresentation by a satellite of its status, we have taken corrective action that we could demonstrate. If there have been other complaints that might be alleged in the material of the third-party comment, that has not come to our attention, and I think in my opinion most of that is probably anecdotal or a misinterpretation on the part of the third-party commenters because we are very, before

a satellite can even be listed as a satellite, it has to go through this extensive review by the Accreditation Commission, and no other satellites are allowed to advertise themselves as such.

CHAIRPERSON D'AMICO: John wants to say something. Maybe, Art, that will help with.

MR. BARTH: I just had a couple of questions that I hope will illuminate a little better. We've used the term "ownership," and I'm not sure--I'm assuming these are nonprofit locations or--

MR. DURSTON: They could be.

MR. BARTH: But not necessarily. In terms of ownership, you had referenced administrative ownership; these are in hospitals I take it, these locations?

MR. DURSTON: Yes.

MR. BARTH: Which could be private, nonprofit or public nonprofit or for-profit hospitals?

MR. DURSTON: Yes.

MR. BARTH: What occurs at the remote

site? Is it purely a clinical experience or is there instruction as well?

MR. DURSTON: Both.

MR. BARTH: Both. Who's responsible for the instructional content delivered at the remote site? Who determines it? Who delivers it?

MS. SNORTON: The accredited center.

MR. BARTH: That comes from the central location?

MS. SNORTON: Yes, uh-huh.

MR. JOHNSON: Delivered by the certified supervisor.

MR. BARTH: At the remote site?

MR. JOHNSON: Right.

MR. BARTH: Is that person an employee of the remote location or the central location?

MR. JOHNSON: We have them both ways. It depends on how they're structured, what their desire is.

MR. BARTH: And I sense that before--I'm trying to see this in our terminology as additional locations, which they may or may not be, but that's

the closest semantic thing I can grab on to here. Before this is established, does it have to go through a prior approval process by your agency?

MR. JOHNSON: Yes.

MS. SNORTON: Yes.

MR. DURSTON: Yes.

MR. BARTH: Is it, in your view, does the accreditation from the main location extend to the remote location? Is it covered under an umbrella of accreditation from the main location or does it operate more as a contract operation?

MS. SNORTON: No, it would be covered under the umbrella so any correspondence, any recordkeeping, any granting of and creation of a transcript for the student is under the auspices of the accredited center.

MS. WANNER: It sounds like then that what the satellite organization has invested in the process is, number one, they get some fees and, number two, they provide the physical facilities; is that right?

MR. JOHNSON: Most of them don't get the

fees because most of what people charge for a unit of education is in our education is basically what it costs, what the association--the unit fees are basically around \$500 a unit. It's a very--and that usually is what it costs about to actually have a student enrolled in the program.

Most of these agencies are trying to develop their own program, and this is a way of beginning to develop their own program, but they're linked to--they are--it is not their program. All the material says they're a satellite of--so that it's very clear that the program belongs to the host administrative, what we call the host administrative center.

MS. SNORTON: Accredited center.

MR. JOHNSON: Accredited center, yeah.

MS. WANNER: When you say it belongs to the host center, what belongs to the non-host? Solely, the facilities; right? Is that what you're saying?

MR. JOHNSON: Yes.

MS. WANNER: Okay.

MS. FISCHER NEWMAN: I don't--you're also saying that what belongs to the non-center could be the faculty, the facilities, the--it sounds to me as if in some of these cases, they're literally paying a franchise fee.

You know they're paying the fees to the host center and then they are structuring everything else internally, obviously with some approval from the Accreditation Committee, but that in order to get the accreditation, they are paying a fee to the host center.

MS. SNORTON: But those fees would be the same fees that are paid within the accredited center by students there. It's not different.

MS. FISCHER NEWMAN: I understand that, but the accredited center then, with no involvement would be--with the clinical education taking place in a hospital is getting a fee because they may not be--they may not be teaching. You know the entire involvement may be the Accreditation Committee going and looking at or analyzing what the off-site center, what the satellite is doing. Everything

else is being done at the satellite. The student pays a fee, gets a degree, but all the teaching and everything is done at the satellite.

MS. SNORTON: Well, the accredited center is solely responsible for all of the documentation, the creation of curriculum, and the provision of faculty. So even if the faculty person is employed by the satellite, by virtue of it becoming a satellite, that faculty person establishes, through the contract, some accountability to the accredited program.

So, in other words, they become an adjunct faculty person of that program, and any curriculum decisions, the satellite cannot make those independently. Those would be made alongside the accredited program. The only expectation that we have is say, for example, if the accredited program is an acute care hospital and the satellite is a hospice, there is the expectation that the curriculum for the students at the hospice would also include didactics and seminars relevant to that clinical placement.

But those would be created in concert with the total curriculum of the accredited program and the accredited center provides all of that documentation, information, and seeks approval. The satellite does not do that independently.

DR. KEISER: Why would the host institution risk its accreditation if there is no value to them? Why would they set up a satellite for another ownership structure and not receive remuneration?

MR. DURSTON: Well, I think there's a commitment by ACPE centers to expand our services into areas that need them, and so that's in many cases what's a satellite is able to do, is to take our educational program into an underserved geographical area and that would be the commitment.

DR. KEISER: But there is value to accreditation; is there not?

MR. DURSTON: Yes.

DR. KEISER: And there's an expense in getting accredited; is there not?

MR. DURSTON: Uh-huh.

DR. KEISER: So why would a host accredited unit or agency or institution risk by letting someone who doesn't have, you know, is a different ownership, and sign a contract without a significant financial remuneration? Are there not? In all cases, it's a non-financial transaction?

MR. JOHNSON: This is, I guess, is part of kind of the mind-set of the mission, the idea of a mission that, but we are seeing the number of satellite, host centers, because when we have to go in, when host centers begin to realize, you know, at a level, when there's a problem, they're responsible, this is historically--we've seen the number of institutions decrease--the number of institutions willing to do this--because they do realize there's this obligation, but we are attempting--we have always attempted to expand our educational program, and this is a way of--it's more of a mission kind of mentality.

It's not really a business mentality. It's more of a mission mentality because I hear what you're saying, but there is no financial--

there is no financial upside to this. It really is, in a sense, a cost to the host institution.

MS. SNORTON: I think the other reality is in cases where you see the health care institutions coming under one umbrella and one ownership, it's in the best interest and usually the request comes from a higher level within the health care system to expand pastoral education into these newly acquired parts of the health care system.

In cases where the ownership is different, often it's because also one of the things that we observe is say in the example that I gave of an acute care center and a hospice, they have agreements that exist in addition to the pastoral care, pastoral education agreements.

And so it's not just kind of isolated, but it's part of a larger sense of mission on our part as well as a larger part of what may be happening between two health care institutions in a particular geographical area, the sharing of resources, the utilization of services that would be at both locations. So often there are other

drivers, other than financial gain that are part of how this often comes about and where the requests generate.

MS. FISCHER NEWMAN: Is this a concern?

MS. WANNER: It seems like it could be depending on whether or not the agency does what it's supposed to such as look at the facilities, whether there's a problem with the faculty being covered by their standards. You wouldn't want any misrepresentation to the students about whether the program was accredited or not.

You wouldn't want the students to be told it is accredited and then get a certificate from an unaccredited entity. Those are some of the questions that come to my mind.

DR. KEISER: Can I ask a question? Can an accredited unit sell a recognition basically to a separate or non, to a differently owned additional location?

My concern here is that the recognition status is being extended to a separately owned, whether it be nonprofit, for-profit, they're still

owned, and frankly the hospital motives in my mind have been very, usually more than just altruistic. The hospitals are very financially driven, and I can't imagine, and I don't understand how one hospital would recognize and put their accreditation at risk to a separately owned unit, just for the purpose of helping them get their students recognized.

And I'm really concerned--I feel--maybe you can help me, George. I don't know. I'm very uncomfortable here.

DR. PRUITT: In my mind, it depends upon whether the certificate is coming from the accredited institution or not. Is the certificate coming from the accredited institution?

MR. DURSTON: Yes.

MS. SNORTON: Yes.

DR. PRUITT: If I'm getting a certificate from an accredited institution, and that institution is accountable for the quality of the instruction I got, the curriculum that I undertook, and I'm accountable to the accrediting--and I have

the control and authority to determine how those things got put together, then I don't think there is a problem.

If it were, if the certificate were coming from the unaccredited institution, then I would have a major problem, and certainly accreditation is not transferable or sellable. Although it's an asset, you can't sell it. It's not a transferable asset; it's not a sellable asset. So I really don't see a problem with that as long as the accredited institution has the authority to control the faculty, the curriculum, the content, and is accountable for the quality of the faculty and the content, and awards its credential for what it is accountable, I don't see the problem.

We had some experience. We did that in New Jersey. There are two community colleges in New Jersey, Essex County Community College--not Essex--I'm sorry--Sussex County Community College and Warren County Community College that are up in the northwest part of New Jersey, and when the county college system in New Jersey, our community

colleges are county colleges--when that system was being developed, we were asked to provide sort of oversight and become an incubator for these two new county colleges.

And what we did was these county colleges were established; boards of trustees were appointed. They were given funding, both county and State funding, and we proceeded to work with them, to hire faculty, to offer courses. We reviewed the qualifications of the faculty, the courses. The courses were taught following our curriculum, and all of these students for the first three years of their existence got degrees from Thomas Edison State College.

We were very comfortable with that. We controlled who taught the courses, we controlled what the curricula was, and they were our curricula, subject to our oversight, and the students received degrees from us, and we were responsible and accountable.

After the third year, when they were up and had the ability to get everything in place,

they offered the degrees under their authority and they offered their own degrees, and we stepped off of that.

The key is who's responsible, who's accountable? And the accreditation has to flow through the responsible, accountable institution, and as long as they're responsible and accountable for the standards of the agency, then I don't see a problem with that. I do see a problem if Warren County Community College, for example, had gone out and advertised and represented itself as an accredited institution prior to the fact when the students were getting degrees from us, that would have been wrong because that would have been misrepresentation. Warren County College at that point was not accredited.

But assuming that there are no misrepresentations about the status, I don't see that there is an issue with that.

DR. MALANDRA: Just so I understand this, first, in the cycle of the budding off of the satellites, would there ever be a time when a

satellite would be providing its own certification?
I mean this is something we should be able to
verify--

MR. JOHNSON: The only time that a
satellite--the answer would be no because the only
time a center can ever--an entity can ever have its
own accreditation is after the thorough site visit
review by our organization. So the satellite would
never be offering its own program of CPE as a
satellite.

DR. MALANDRA: That could never happen
even if they're being entrepreneurial and excited
that they're about to become independent?

MR. JOHNSON: That's part of the problem
with the entity that made a lot of these
discussions because that's exactly what they do,
and when they overlaid with ourselves, and they
were trying to do it another way, we kept stepping
in and saying you cannot do that.

DR. MALANDRA: So you have a quality
control process in place?

MR. JOHNSON: Yes, we do.

DR. MALANDRA: Second question is more about student perceptions and not just the ones of this--do the students who are getting their certificate from the accredited entity, are they aware that that's where it's coming from or does it have a different name so they may perceive that it's coming from wherever they're actually doing their clinical--

MR. JOHNSON: Every, every, every student handbook, every piece of material that comes from the satellite has to say on that, the certificate has to say we are a satellite of "x," you know, and the material would say--the certificate would say the accredited center would be giving the certificate, but every material, handbook, whatever, misrepresentation is exactly what we do not want.

CHAIRPERSON D'AMICO: Okay. Art and Andrea, are you satisfied? We need to move on to other issues. Anything else for the other Committee members? Thank you for coming here today.

MS. SNORTON: Thank you.

CHAIRPERSON D'AMICO: There was one third-party presenter, Mr. Scott.

MR. SCOTT: Good morning.

CHAIRPERSON D'AMICO: Good morning, Mr. Scott. You've been sitting here for three days. I would encourage you to keep your remarks to the criteria, the Secretary's criteria.

MR. SCOTT: Madam Chairman, I have five minutes. That's all I'll take. My remarks are where I believe this Committee should be. I understand that the interpretation by the staff and perhaps by the Secretary on what your role is may be different than my perception of your role.

As a purpose of our being here for three days, which is time consuming and expensive for us, too, is to preserve a record. So with your permission, I have prepared comments. I'll take my five minutes, you'll smile at me, and I'll be gone.

Good morning. My name is Bill Scott. I represent Judicial Equality Foundation, Inc., a public charity engaged in the search for peace by

nonviolent means. Our presentation and comments in full are on our Web site at our <http://jefound.org>.

The pastoral effort is the top of the organization religious food chain. Through their efforts, organized religion attains the bequeaths necessary to supply their major funding. To be clear, those who deny the existence of God have no proof, just as those who claim God exists.

The difference is that those who say God exists couple their claims with a belief in heaven. If a person gets right with God, they will get quickly or go to heaven when they die. To be right requires either by inference or direct solicitation payment of money to the pastor's organized religion.

For centuries, wars have been fought to gain control of religious collected money. All religious followers of the book are taught that their organized religion is the only one blessed by God. Non-believers are condemned to death. Islam currently teaches its 1.3 billion followers that the permissive lifestyle of the West, particularly

the United States, represents satan.

No one can predict when Islamists will commit the next violent act to further their organized religious beliefs nor can the retaliation by the West be predicted.

If the standards imposed upon issuers of stock in the United States were imposed upon pastoral content pastoral conduct, most if not all of them would be required to defend allegations that they obtained money by false pretenses.

A recommendation to the Secretary to approve pastoral care is to condone the practice of psychology based upon myth, very non-academic. By review of our oppositions to the American Bar Association and the Association of Bible Schools applications with this review, you can connect the dots to determine what the public needs to be free from religious violence and other abuse.

The loss of life and limb by our troops in Afghanistan and Iraq has been without the demand that Islam be separated from their constitutions. The claim that the occupation of the Middle East is

to further democracy without control of religiously motivated violence is a demonstration of failure of our educational system.

Correction of that failure begins with this Committee today. Accreditation the pastoral effort must be denied because they make claims that lead to violence they cannot prove and would violate the First Amendment to the Constitution.

I'm grateful to those of you who listened. I also hope or wish that one of more of you would take some positive action. Thank you very much.

DR. MALANDRA: Thank you, Mr. Scott.

CHAIRPERSON D'AMICO: Thank you. Are there follow-up questions for the agency or for Ms. Jones?

Thank you. I'll entertain a motion at this time.

DR. KEISER: I'd like to move that we renew recognition for a period of five years and request an interim report by December 6, 2007 on the issues identified in the staff report. I'd also ask if they would add clarification to their

providing branch recognition or satellite recognition to these additional locations and clarify that for the Committee.

CHAIRPERSON D'AMICO: Second?

MS. FISCHER NEWMAN: Second.

[Motion made and seconded.]

CHAIRPERSON D'AMICO: Discussion?

DR. PRUITT: I'd like to offer a friendly amendment to see if this is acceptable to the movers and the seconders. On the recognition page, where it says the agency needs to demonstrate that it has developed a standard with a threshold level capable of assessment, I mean that phraseology has been the discussion of three days of discussion.

And I think there's a consensus, I guess the Keiser-Barth principle that where there is qualitative data, there needs to be some use of that qualitative data to make a qualitative judgment about the performance of the institution.

The issue is about the, quote, "threshold standard," or the bright line standard, and I hope that the consensus that we've developed gets served

by substituting, if you take the "a standard with a threshold level capable of," and strike that out and replace that with "has developed criteria for assessing the compliance of a program or center to the student achievement standard," that that would achieve the same intent, but would not be such a specific detail.

This language calls for a standard and a threshold, and that's an extraordinarily prescriptive burden that goes far beyond what we have done before. And so the criterion is reasonable, I think. The criteria for assessing, but a threshold standard is something that I think we've tried to resist.

DR. KEISER: I'd accept that amendment.
Second.

[Amendment made and seconded.]

CHAIRPERSON D'AMICO: Does everyone understand the amendment? Is there a second to the amendment?

MS. FISCHER NEWMAN: Second.

DR. KEISER: Well, I think we both accept

the amendment.

CHAIRPERSON D'AMICO: So there doesn't need to be one. Further discussion? Call for the question. All those in favor signify by raising your hand.

[Show of hands.]

CHAIRPERSON D'AMICO: Opposed?

[No response.]

CHAIRPERSON D'AMICO: Motion carries unanimously. Thank you.

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