

U.S. Department of Education

**Staff Report
to the
Senior Department Official
on
Recognition Compliance Issues**

RECOMMENDATION PAGE

1. **Agency:** American Veterinary Medical Association (1952/2007)
(The dates provided are the date of initial listing as a recognized agency and the date of the agency's last grant of recognition.)
2. **Action Item:** Compliance Report
3. **Current Scope of Recognition:** The accreditation and preaccreditation ("Provisional Accreditation") in the United States of programs leading to professional degrees (D.V.M. or D.M.D.) in veterinary medicine.
4. **Requested Scope of Recognition:**
5. **Date of Advisory Committee Meeting:** December, 2014
6. **Staff Recommendation:** Grant the agency an extension of its recognition, for good cause, for a period of six months and require the agency to submit a compliance report demonstrating its compliance with the cited criteria within 30 days of expiration of the six-month period, with reconsideration of recognition status thereafter, including review of the compliance report and appearance by the agency at a NACIQI meeting to be designated by the Department.

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

7. **Issues or Problems:** It does not appear that the agency meets the following sections of the Secretary's Criteria for Recognition. These issues are summarized below and discussed in detail under the Summary of Findings section.

-- The agency must demonstrate wide acceptance among educators and practitioners. [§602.13]

-- The agency must ensure it has and applies a compliant student achievement standard. [§602.16(a)(1)(i)]

-- The agency must compliant written policies for its systematic program of review and demonstrate that it involves all of the agency's relevant constituencies in the review and affords them a meaningful opportunity to provide input into the review. [§602.21(a)(b)]

-- The agency must ensure that it has compliant written policies for its revision of standards. [§602.21(c)]

EXECUTIVE SUMMARY

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The American Veterinary Medical Association (AVMA) was formed in 1863 to recognize the veterinary medical profession in the United States. It began accrediting schools of veterinary medicine in 1906 through its Committee on Intelligence and Education. In 1946, the AVMA was reorganized, and the Council on Education (COE) replaced the Committee on Intelligence and Education.

The AVMA is a programmatic accrediting agency that currently accredits 28 schools of veterinary medicine located in regionally accredited universities. These programs use the agency's accreditation to participate in the Health Professions Student Loan program offered through the U.S. Department of Health and Human Services. Recognition of the agency does not enable its programs to seek eligibility to participate in the Title IV funding programs.

Recognition History

The COE of the AVMA was on the Commissioner of Education's first list of nationally recognized accrediting agencies published in 1952, and its recognition has been renewed periodically. The agency was last granted a period of recognition for five years in 2007.

The COE of the AVMA was last reviewed for recognition in December 2012. At that time, the senior Department official required the agency to come into compliance within 12 months, and submit a compliance report that demonstrates the agency's compliance with the issues identified in the staff analysis. The agency's compliance report is the subject of this analysis.

Over 900 written comments were received regarding the agency's compliance report.

PART II: SUMMARY OF FINDINGS

§602.13 Acceptance of the agency by others.

The agency must demonstrate that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by--

(a) Educators and educational institutions; and

(b) Licensing bodies, practitioners, and employers in the professional or vocational fields for which the educational institutions or programs within the agency's jurisdiction prepare their students.

As demonstrated by the agency's submission, it has made changes to its policies and processes to better ensure wide acceptance among its constituencies and to better align with common accreditation practice. Previously, many third-party commenters alleged that the agency was not garnering wide acceptance, particularly among academicians. Based on the agency's 2012 review for continued recognition, the Department concurred with third-party commenters that certain agency practices resulting in areas of non-compliance needed to be remedied prior to being found compliant under this section.

It appears that the agency has since demonstrated its efforts in revising its policies and practices for conducting a systematic program of review and ensuring that it takes into account input from third-party commenters. The agency has also, on its own accord, revised its Council selection process by involving the Association of American Veterinary Medical Colleges in the process; previously the selection process was the sole purview of the AVMA House of Delegates. And while the agency appears to have made strides to ensure that its site visitors are separate from its decision-makers, at the time of the draft analysis, its policies still need revision to ensure that its process for conducting evaluations of schools, and its process for making accreditation decisions, are conducted by distinct entities.

Finally, as summarized under the section for third-party comments of this report, the Department has received over 900 comments from educators, educational institutions, and practitioners against the agency's continued recognition which allege inconsistent application of agency standards, undue political influence from the related association, and non-acceptance of the agency's standards and processes. Due to the outstanding sections of non-compliance and the overwhelming number of negative comments received from educators, the agency remains non-compliant under this section as it has not demonstrated wide acceptance among educators. Given that the vast majority of negative comments received were from practitioners, the agency has further not demonstrated wide acceptance among practitioners. However, as the agency has demonstrated progress in gaining acceptance among educational

institutions, as demonstrated by the positive comments received which recognize efforts made by the agency since the agency's last review for continued recognition, the agency is now demonstrates wide acceptance from educational institutions. The agency must demonstrate that it has outreached to educators and practitioners to ensure that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by educators and practitioners.

Analyst Remarks to Response:

The agency has described in its response the efforts it has made to outreach to its community via its standards review process and its cosponsorship of a consortium prior to 2012. While it appears that the agency is making strides toward making its processes more transparent to the community and to the public, the agency remains non-compliant under section 602.21 for review of standards. The agency adopts a sampling method to issue its survey to solicit third-party comment on its standards, while the regulations require that all relevant constituencies are provided a meaningful opportunity to comment on the agency's standards. In light of the many negative comments received regarding the agency's continued recognition, and the remaining areas of non-compliance, the Department continues to find the agency non-compliant under this section to allow the agency sufficient time to fully come into compliance and to implement its pending efforts to solicit feedback from its relevant constituencies, and to make its processes more transparent.

§602.15 Administrative and fiscal responsibilities

(5) Representatives of the public on all decision-making bodies; and

The agency has provided evidence of signed public member certifications that demonstrates it applies its vetting procedures for representatives of the public.

(6) Clear and effective controls against conflicts of interest, or the appearance of conflicts of interest, by the agency's--

- (i) Board members;
- (ii) Commissioners;
- (iii) Evaluation team members;
- (iv) Consultants;

(v) Administrative staff; and

(vi) Other agency representatives; and

While it appears that the agency has made changes to its procedures to widen its pool of site evaluators and recruit non-COE members to its site evaluation team, its policy manual (Exhibit 44) still reserves two spaces for current COE members (decision-makers) on a four-person site evaluation team. The agency was previously cited under this section for its practice of constituting its site evaluation team of the same individuals that are current COE members (decision-makers). The agency's practice was cited as a departure from common accreditation practice which did not effectively control against conflicts of interest, or the appearance of conflicts of interest. Furthermore, contrary to how it is stated on page three of the agency's site visitor training materials (Exhibit 13b), the Department does not prescribe the conduct of such site evaluators or observers, but rather that the agency ensures that it has clear and effective controls against conflicts of interest in place. The agency must therefore delete the reference to USDE guidelines from its training materials.

The agency remains non-compliant under this section due to the discrepancies between its written policies which require participation of decision-makers on the agency's evaluation team, and the agency's narrative description which states that decision-makers are limited to participation on site evaluation teams as observers only.

Analyst Remarks to Response:

The agency has since revised its site evaluation team policies to clarify that Council members participate on teams as "observers" only and are not part of the five-person site visit team. The agency has also since removed the incorrect information regarding the Department's guidelines from its site visitor training materials.

§602.16 Accreditation and preaccreditation standards

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if -

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, **which may**

include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

The agency was previously cited for not clearly, consistently, and comprehensively applying its student achievement standard. The agency has since developed a template to ensure that it evaluates programs against the agency's standards and its attendant criteria. Though the agency had an 80% threshold requirement for passage on the North American Veterinary Licensing Exam (NAVLE), it was unclear whether the agency consistently applied such standard and why such requirement was not included as part of its student achievement standard.

The agency has since changed the requirement for passage on the NAVLE to requiring, "annual and cumulative NAVLE passing percentages that statistically fall within the range of the upper 95% of all accredited colleges." It is not clear under the agency's assessment under this criteria, whether such information is published annually for programs and site visitors so that evaluators understand what the established percentage is at the time of the evaluation. The site visit report does not include such information. Further troubling is the agency's narrative statement that, "It does not appear to be possible to associate course completion or placement rates with program quality at any threshold." The agency's statement raises concerns as to the agency's current practice of analyzing five-year trend data. Does the agency find such analysis to be an effective practice? If not, what other ways is the agency exploring to use data on completion and placement?

Finally, the agency has found that consideration of state licensure pass rates would not, "add appreciable value..." over the established NAVLE threshold.

The agency must clarify the changes made to its student achievement standard to include the provision to site visitors and programs of the current NAVLE threshold, as well as whether the agency's practice of analyzing five-year trend data for completion and placement is reliable in light of the agency's statement regarding the use of such data toward analyzing program quality.

Analyst Remarks to Response:

The agency now asserts the value of its analysis of five-year trend data for course completion and placement rates, but has not provided evidence of its review of such data. In light of the negative comments received, the Department has concerns regarding the agency's student achievement language which states that, "significant decrease in student achievement over a five-year period may imply deficiencies in the program" (Exhibit 40). In the absence of

documentation, it is unclear what constitutes "significant." Also, the way the standard is written suggests that a program could experience significant declines in its completion and placement rates over a period of five years, and continue to be in compliance with the agency's standards. Programs are further expected to provide an explanation for downward trends and to implement steps to arrest such trends, "if possible" (Standard 12.11.1.d), suggesting that remedy of potential non-compliance areas in student achievement are left to the program's judgment.

Furthermore, the agency explains in its response that it holds its US and Canadian schools to the 80% NAVLE pass rate established by the agency, but employs a binomial confidence interval for its foreign schools due to the smaller sample sizes of students taking the exam. As a note to the agency, this is not clear from reading the agency's standard and explanatory note. The wording of the agency's standard suggests that it employs a binomial confidence interval for all of its accredited programs. It is unclear whether the agency relies on written guidance as to when to apply a binomial confidence interval for its domestic schools.

More information is needed regarding the agency's review and analysis of student achievement data, particularly as it relates to completion and job placement. The agency must provide documentation of its review of such data and ensure that the application of the agency's student achievement standard is of sufficient rigor in light of negative comments to the contrary.

(a)(1)(ii) Curricula.

The agency has developed a site visit report template to ensure that it more clearly, consistently, and comprehensively reviews programs under its curriculum standard. Previously, it was not clear whether programs were evaluated under each criteria of its curriculum standard, nor was it clear whether the agency had a consistent method for finding a program out of compliance under its previous accreditation statuses. The agency has also revised its accreditation statuses to clarify when a program would be found out of compliance with the agency's standard.

The agency has also developed attendant written guidance and incorporated such changes into its training for site evaluators.

(a)(2) The agency's preaccreditation standards, if offered, are appropriately related to the agency's accreditation standards and do not permit the institution or program to hold preaccreditation status for more than five years.

The agency has amended its policies to prohibit its past practice of granting "limited accreditation," or a probationary status, to an institution that has been preaccredited (provisionally accredited) for five years. The agency has not had an opportunity to demonstrate the application of its revised policy for preaccreditation.

§602.17 Application of standards in reaching an accrediting decision.

The agency must have effective mechanisms for evaluating an institution's or program's compliance with the agency's standards before reaching a decision to accredit or preaccredit the institution or program. The agency meets this requirement if the agency demonstrates that it--

(f) Provides the institution or program with a detailed written report that assesses--

(1) The institution's or program's compliance with the agency's standards, including areas needing improvement; and

(2) The institution's or program's performance with respect to student achievement; and

The agency has made changes to its site visit report template and policies to clarify what constitutes areas of compliance and non-compliance. As a result, the agency now provides a detailed written report which assesses a program's performance with respect to student achievement by way of its site visit report to the the program.

§602.20 Enforcement of standards

(a) If the agency's review of an institution or program under any standard indicates that the institution or program is not in compliance with that standard, the agency must--

(1) Immediately initiate adverse action against the institution or program; or

(2) Require the institution or program to take appropriate action to bring itself into compliance with the agency's standards within a time period that must not exceed--

(i) Twelve months, if the program, or the longest program offered by the institution, is less than one year in length;

(ii) Eighteen months, if the program, or the longest program offered by the institution, is at least one year, but less than two years, in length; or

(iii) Two years, if the program, or the longest program offered by the institution, is at least two years in length.

The agency has since revised its policies to clarify that programs must come into compliance within two years. The agency has also provided several decision letters that demonstrate that programs on "Accredited with Minor Deficiencies" status only have one additional year to remedy areas of noncompliance. In the following section the agency makes clear that it has not had an opportunity to demonstrate its actions on programs at the end of the two-year timeframe. However, the agency must clarify why it referenced "Substantial Compliance" on its decision letter to a program (Exhibit 24C) which is no longer an accreditation status according to the agency's current policies.

Analyst Remarks to Response:

The agency has clarified in its response that it continued to use the term "substantial compliance" as a way to facilitate understanding under the agency's revised policy. The agency has also provided a follow-up status letter to a program demonstrating that it applied its probationary status in accord with its revised policy.

(b) If the institution or program does not bring itself into compliance within the specified period, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance.

The agency has since clarified its policies and guidelines for extensions of good cause and ensures that programs do not remain non-compliant with the agency's policies indefinitely, by limiting good cause extensions to one renewal. The agency has indicated that it has not had an opportunity to demonstrate its application of its enforcement action, though it has provided decision letters placing programs on probation.

§602.21 Review of standards.

(a) The agency must maintain a systematic program of review that demonstrates that its standards are adequate to evaluate the quality of the education or training provided by the institutions and programs it accredits and relevant to the educational or training needs of students.

(b) The agency determines the specific procedures it follows in evaluating its standards, but the agency must ensure that its program of review--

(1) Is comprehensive;

(2) Occurs at regular, yet reasonable, intervals or on an ongoing basis;

(3) Examines each of the agency's standards and the standards as a whole; and

(4) Involves all of the agency's relevant constituencies in the review and affords them a meaningful opportunity to provide input into the review.

The agency has introduced the use of a holistic survey to ensure that its program of review is comprehensive. As indicated in the agency's narrative, such survey will be distributed concurrently with the survey that requests information regarding component parts of the standards, thereby meeting requirements under subsections (1) and (3) above.

The agency has also provided several examples of its outreach to relevant constituencies and the subsequent input provided by its constituencies, thereby meeting requirements under subsection (4) above. Finally, the agency provided meeting minutes demonstrating its review and discussion of the comments provided by its constituencies. Previously, the agency's processes for its review of standards was not documented.

While the agency demonstrates that it has sufficiently revised its practice for its systematic program of review, the agency has not provided its attendant written policies which are in accord with its compliant practice. Of further concern - as outlined under the section for third-party comments - the agency received over 900 negative comments calling into question the agency's process for taking into account input from its relevant constituencies. The agency must provide more information regarding the implementation of its changes in light of the negative comments, as well as what targeted outreach the agency will adopt to ensure that input from its relevant constituencies are taken into consideration.

Analyst Remarks to Response:

The agency has clarified its policies and practices for conduct of its systematic program of review and has provided its attendant written policies, which state that it evaluates the standards as a whole through conduct of a survey. The agency's policy further states that it conducts its survey to a sample of practitioners, faculty, and students. The agency's process of soliciting feedback from only a sample of its relevant constituencies is non-compliant under subsection (4) of this section. The agency must demonstrate that it involves all of the agency's relevant constituencies in the review and affords them a meaningful opportunity to provide input into the review.

(c) If the agency determines, at any point during its systematic program of review, that it needs to make changes to its standards, the agency must initiate action within 12 months to make the changes and must complete that action within a reasonable period of time. Before finalizing any changes to its standards, the agency must--

(1) Provide notice to all of the agency's relevant constituencies, and other parties who have made their interest known to the agency, of the changes the agency proposes to make;

(2) Give the constituencies and other interested parties adequate opportunity to comment on the proposed changes; and

(3) Take into account any comments on the proposed changes submitted timely by the relevant constituencies and by other interested parties.

The agency has provided several examples of its revised process for taking into account comments on proposed changes to its standards. The agency has provided meeting minutes which demonstrate its review of such comments and that its academic affairs committees considers such comments as part of its systematic program of review.

However, in light of the volume of negative comments received, the agency must provide more information on the implementation of the changes to its review process in light of third-party comments, and how it plans to proceed to ensure that the input of its relevant constituencies are taken into consideration.

Analyst Remarks to Response:

The agency has provided its written policies for its systematic program of review in the previous section. The policy does not include all the requirements under this section, for example, that it must initiate action within 12 months from when the agency determines it needs to make changes to its standards. And while it appears that the agency does give its constituencies opportunity to comment via its public website, its practices must be reflected in its written policies.

§602.23 Operating procedures all agencies must have.

(b) In providing public notice that an institution or program subject to its jurisdiction is being considered for accreditation or preaccreditation, the agency must provide an opportunity for third-party comment concerning the institution's or program's qualifications for accreditation or preaccreditation. At the agency's discretion, third-party comment may be received either in writing or at a public hearing, or both.

It does not appear that the agency has made any changes to its process for providing an opportunity for third-party comment concerning a program's qualifications for accreditation or preaccreditation. Though the agency announces site visits on its website, it does not solicit third-party comment via its notification to the public. The agency only publishes the solicitation for third-party comment to subscribers of its print journal. It is unclear why the agency does not solicit third-party comment in concert with its public notification via its website.

Analyst Remarks to Response:

The agency now solicits third-party comment in concert with its site visit announcements via the agency's website.

§602.26 Notification of accrediting decisions

(b) Provides written notice of the following types of decisions to the Secretary, the appropriate State licensing or authorizing agency, and the appropriate accrediting agencies at the same time it notifies the institution or program of the decision, but no later than 30 days after it reaches the decision:

(1) A final decision to place an institution or program on probation or an equivalent status.

(2) A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation or preaccreditation of an institution or program;

(3) A final decision to take any other adverse action, as defined by the agency, not listed in paragraph (b)(2) of this section;

The agency has amended its notification policy to conform with the requirements under this section. The agency also demonstrates that it adheres to its policy given the documentation provided, except that it is unclear whether the agency notified the regional accrediting agencies which would constitute the appropriate accrediting agency given that the agency is a programmatic accreditor.

Analyst Remarks to Response:

The agency has provided documentation in its response that demonstrates that it notifies regional accreditation agencies regarding COE accreditation decisions.

(c) Provides written notice to the public of the decisions listed in paragraphs (b)(1), (b)(2) and (b)(3) of this section within 24 hours of its notice to the institution or program;

The agency demonstrates that it now provides written public notice within 24 hours of its notice to a program regarding the decisions listed under the respective subsections under this section.

PART III: THIRD PARTY COMMENTS

Staff Analysis of 3rd Party Written Comments

Over 1000 written comments were received regarding the agency's compliance report. Ninety-eight comments were in support of the agency and were largely submitted on behalf of educational institutions and practitioners, including six state veterinary medical associations. Comments in support of the agency cited the agency's broad acceptance among the educational community; the opportunities that the agency provides to contribute meaningful input in the standards review process; the agency's adaptability to evolving needs of the profession; and that the agency operates independent of undue influence from related membership associations.

The remaining 900+ comments opposed the agency's continued recognition and were largely from practitioners, as well as some educators and students, including four state veterinary medical associations. The concerns of these

commenters are summarized as follows:

1) Non-acceptance of current standards and processes - Standards are vague, inconsistently enforced, and deliberately "weakened" to justify, retrospectively, the accreditation of substandard schools.

2) There is undue political influence on the accreditation standards and policies of the agency by the related associations (American Veterinary Medical Association and the Association of American Veterinary Medical Colleges). The commingling of these organizations creates conflicts of interest where the agency acts at the whim of the professional association, whereby the interests of the professional members may be in direct conflict with the good of the profession and the public good.

3) The profession's progress as a science-based medical profession is compromised due to the accreditation of substandard schools that lack a robust research enterprise, and inadequate supervision and clinical training of veterinary graduates.

4) The decision to accredit foreign veterinary schools was made improperly by the AVMA Executive Board (and not the agency), and is a decision strongly opposed by the veterinary community.

The volume and substance of negative comments regarding the non-acceptance of the agency's standards and processes raises concerns regarding the agency's acceptance among practitioners, and continued concerns regarding its acceptance by educators and educational institutions as described under section 602.13.

Allegations regarding undue political influence by the related associations were raised at the time of the agency's review for continued recognition in 2012. Because the agency is a programmatic accreditor, it is not subject to separate and independent provisions under section 602.14(b). Department staff found that the agency had clearly stipulated procedures for the selection of its Council members which involves both the AVMA and the AAVMC. Such appointments by the related associations - in and of themselves - are not prohibited by the regulations. However, the agency was previously cited under section 602.15(a)(6) regarding the selection and training of its evaluation team members to ensure that it widens participation of its evaluation team and to ensure that its evaluation team members are distinct from its decision makers. It appears that the agency has taken steps to protect against potential conflicts of interest in this regard. Therefore, the Department has determined that all other operational concerns between the agency and its related associations, must be resolved at the level of the profession and are outside the scope of the Department's authority.

Comments regarding the agency's accreditation of substandard schools and the agency's application of its "Research" standard allege that the agency has deteriorated the quality of the veterinary profession's research and scientific contributions. If the relevant constituencies raised concerns to the agency, such

input would be reflected in the agency's standards review process and may suggest concerns regarding the agency's compliance under section 602.21, regarding review of standards. Previously, the agency was cited regarding its systematic program of review and it appears from its compliance report that it has taken measures to ensure meaningful input into its standards revision process and that it takes into account input provided by its communities of interest.

However, more information is needed regarding whether and how diverse voices among the agency's relevant constituencies are taken into the decision-making and standards review process as described under section 602.21. Related, the agency must also respond to the decision-making process regarding the accreditation of foreign veterinary schools. Although the agency's international activities are outside the scope of the recognition process, such allegations raise concerns regarding the agency's operations and consideration of the input of its communities of interest under section 602.21. Further notable is that American students attending foreign veterinary schools may be eligible for direct loans based on AVMA or other accreditation, and is therefore of concern to the Department.

Agency Response to 3rd Party Comments

The Council agrees that foreign accreditation is outside the scope of the recognition process. As such, we believe this is a professional dispute that should be resolved within the profession. We certainly appreciate the fact that there are differing views on this issue, and have endeavored to fully consider them. We believe that some of this criticism of the accreditation of foreign veterinary schools is due to concern on the part of some practitioners regarding the number of veterinarians in the US. As a private accrediting agency subject to federal antitrust laws, we cannot make determinations about the number of types of veterinary schools based on concerns regarding the number of veterinarians in the United States.

That said, the COE evaluates foreign veterinary colleges using the exact same standards, applied the same way to US and Canadian veterinary colleges. The process that a foreign veterinary college uses to obtain accreditation is no less rigorous than that of US colleges. Further, there is no evidence to support claims that graduates of accredited foreign veterinary colleges are less qualified than US graduates. In fact, the evidence indicates they compare very favorably. Graduates of accredited foreign veterinary colleges pass the NAVLE at the same average rate as graduates of accredited domestic veterinary colleges (>92%). By contrast, graduates of non-accredited veterinary colleges pass at an average rate below 40% (Exhibit 16-NAVLE Report 2011-2012, Exhibit 17-NAVLE Report 2012-2013, and Exhibit 18-NAVLE Report 2013-2014).

The AVMA House of Delegates is a 140-member representational governance body composed of two delegates from each state veterinary medical association and 18 allied veterinary groups. Some of those behind the negative letter writing

campaign submitted a resolution to the AVMA House of Delegates in January 2014 to stop the accreditation of foreign veterinary schools by the COE (Exhibit 19-HOD Resolution). Upon consideration and discussion of the evidence for discontinuation submitted by the New York State Veterinary Medical Society (NYSVMS) and evidence for continuation submitted by the AVMA Executive Board (Exhibit 20-EB Response to Resolution), the House voted overwhelmingly (80% to 20%) to continue foreign accreditation. This followed two earlier attempts to use the House of Delegates to stop foreign accreditation in the last three years, which also failed. One resulted in the formation of a task force to study COE accreditation of foreign veterinary schools, which included outspoken critics of foreign accreditation. The task force failed to find any credible or compelling evidence to stop the process (Exhibit 21-Task Force Report). Thus, we believe that this issue is being fully considered by the profession, and while there remain vocal critics of foreign veterinary school accreditation, those critics are in the minority and their concerns have been fully heard and considered by members of the profession, who continue to support the COE's practice of accrediting foreign veterinary schools.

The Council's decisions to accredit one domestic school and two foreign schools that provide clinical education by means other than a traditional veterinary medical teaching hospital and to grant Letters of Reasonable Assurance to two developing domestic schools using a similar educational model were used to imply the educational process is inadequate and therefore standards are not applied consistently. The Council has put into place extensive requirements to assure quality resources for students in these institutions. Requirements in place for core, off-campus clinical education sites include training of on-site supervisors for students to assure an understanding of the educational objectives that must be achieved, the appropriate evaluation of students, requirements for the supervision of students at the off-campus sites by on-site personnel and supervision by faculty of the school, and selection of the type of clinical sites used. Site teams use a standardized checklist to evaluate all sites visited. Section 8.2 and 21.6, Appendix F (Exhibit 22-P&P Section 8.2 and Exhibit 23-PUP Section 21.6) of the COE Policies and Procedures Manual describes the guideline for a distributive veterinary clinical education model and the evaluation form used by the site team. In addition, graduates of these veterinary colleges have passed the North American Veterinary Licensing Examination at or above the national average for graduates of all accredited US veterinary colleges. The average pass rate among graduates of non-accredited foreign schools is consistently under 40% (Exhibit 16-NAVLE Report 2011-2012, Exhibit 17-NAVLE Report 2012-2013, and Exhibit 18-NAVLE Report 2013-2014).

The Department received approximately 850 critical comments from practitioners and others; however, it should be noted that a very significant portion of those were from letters submitted via a web site created for this purpose by a handful of individuals who oppose continued recognition of the COE by the Department largely due to workforce concerns, including their opposition of foreign accreditation, an issue that the profession has repeatedly

resolved in favor of continuing foreign accreditation. The COE actively solicits and responds to critiques of the standards of accreditation. These form letters provide no actionable critique, and their writers have not availed themselves of the many opportunities that the Council provides to offer input.

Finally, review of the 780 letters submitted found that a portion of positive comment letters (35) were mislabeled as con (negative) letters or “other” (Exhibit 24-Mislabeled Letters List). A much smaller number of negative letters were mislabeled as pro (5). The positive letters included supportive commentary from the deans of most US veterinary colleges, a group that represents thousands of veterinary educators.

The Council is aware of the Department’s decision to include in the criteria for determining a foreign veterinary school’s eligibility to participate in the Direct Loan Program (effective July 15, 2015) the requirement to be accredited by an organization acceptable to the Secretary for the purpose of evaluating veterinary programs. A limited number of American students (taxpayers) have been attending COE accredited foreign schools for the last 20 years. As long as the Council is charged to accredit foreign veterinary colleges, it will use an established, evidence-based evaluation process subjected to independent, third party review by the USDE and Council on Higher Education Accreditation. The COE will continue to make all changes necessary to accommodate the recommendations of both entities, as it has done continuously since 1952, and 1949, respectively.

Staff Analysis of Agency Reponse to 3rd Party Comments

The agency has provided a response and supporting documentation regarding the AVMA's decision to accredit foreign veterinary schools. The agency states that graduates of accredited foreign veterinary schools (presumably AVMA-accredited), pass the NAVLE at the same average rate as domestic accredited schools. However, the documentation of NAVLE pass rates that the agency provided is not disaggregated by foreign and domestic graduates. It is also apparent from the documentation provided, that the agency only reviews NAVLE pass rate data from foreign schools if they are available, some schools of which, have very few graduates that take the NAVLE. The agency has instituted a binomial confidence interval in such cases where numbers of foreign graduates taking the NAVLE are limited.

The documents provided indicate the differences within the veterinary community regarding the accreditation of foreign veterinary schools, and the problems in applying the same standards to both foreign and domestic schools, a concern raised by many third-party commenters. For example, the documents provided raised concerns regarding the agency's application of Standard One, or the requirement that the veterinary school is part of a larger institution for foreign schools, and the application of the agency's student achievement standard, particularly with regard to NAVLE pass rates. The waiver of the requirement of NAVLE pass rates for foreign schools are not captured in the agency's policies

or standards. The way the agency's standard is written suggests that all schools (foreign and domestic) must maintain an 80% NAVLE pass rate. However, in practice, the documentation provided by the agency suggests that such data is only reviewed as it is available.

The agency has also responded to third party comments regarding the accreditation of substandard schools and particularly those schools lacking a robust research enterprise. The agency states that it has implemented extensive requirements for those schools adopting a "distributive veterinary clinical education model," which may differ from traditional research models. Again, the Department notes that should the agency's application of its "Research" standard differ for foreign and domestic schools, this would be yet another example of a problem in applying the same standard for foreign and domestic schools, which further underscores third-party commenters' concerns.

Finally, the agency alludes to miscoded comments in the Department's electronic system for accepting third party comments. The Department directs the agency to the narrative staff analysis of third party comments which is Department staff's attestation regarding the substance and estimated count of comments received at the time the draft analysis was issued. At the time of the issuance of the draft analysis, the volume of comments received did not make it possible for Department staff to get a precise count of comments received. At the time of the issuance of the final report, the Department has received approximately 935 comments; 98 in support of the agency, and 837 against the agency.