

<b>Name:</b> National Association Of Schools Of Music, Commission on Accreditation	<b>Meeting Date:</b> 07/31/2019	<b>Response Submit Date:</b> 05/31/2019	<b>Status:</b> Final Review	<b>Type:</b> Renewal Petition
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## U.S. Department of Education

Staff Report

to the

Senior Department Official

on

Recognition Compliance Issues

### Recommendation Page

1. **Agency:** National Association Of Schools Of Music, Commission on Accreditation
2. **Action Item:** Renewal Petition
3. **Current Scope of Recognition:** The accreditation throughout the United States of freestanding institutions, and units offering music and music-related programs (both degree- and non-degree-granting), including those offered via distance education.
4. **Requested Scope of Recognition:** The accreditation throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting) including those offered via distance. This recognition also extends to the Commission on Community College Accreditation.
5. **Date of Advisory Committee Meeting:** July 31, 2019
6. **Staff Recommendation:** As noted above, staff recommends the inclusion of the Commission on Community College Accreditation in the agency's scope of recognition. Continue the agency's recognition as a nationally recognized accrediting agency at this time, and require the agency to come into compliance within 12 months with the criteria listed below, and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.
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 amend its continuous deferral policy to clarify the adverse action initiated after an institution is found not in compliance and has exceeded the continuous deferral policy of two years. The agency must amend the terms of Appendix III.E. to clearly define rationale for granting or denying a good cause extension, limits on the frequency and use of good cause extensions, and provisions for monitoring the progress of an institution that has received an extension for good cause. [§602.20(a)]

### Executive Summary

## Part I: General Information About The Agency

The National Association of Schools of Music, Commission on Accreditation (NASM or the agency) is both a programmatic and institutional accreditor, however the agency is only requesting the accreditation of freestanding institutions as within its scope of recognition. The principal purpose of this agency is the accreditation of freestanding institutions that offer degree-granting and non-degree-granting music programs and the accreditation of music programs within institutions accredited by a national recognized regional accrediting agency. The agency's freestanding institutions may use its accreditation by the agency to establish eligibility to participate in Title IV, HEA financial aid programs. NASM accredits 14 institutions that are able to use its accreditation as their mechanism to establish eligibility to participate in Federal student aid programs. Five of these institutions currently establish eligibility through NASM accreditation.

### Recognition History

NASM has been granted periodic renewal of recognition since its initial recognition in 1952. The last full review of the agency was conducted in December 2007 at which time the National Advisory Committee on Institutional Quality and Integrity (NACIQI or Committee) recommended and the Secretary concurred that the agency's recognition be renewed for five years and that its scope be expanded to include programs offered via distance education.

In conjunction with the current review of the agency for its continued recognition, Department staff reviewed the agency's petition and supporting documentation and observed a decision meeting in November 2018. The agency's petition for continued recognition is the subject of this analysis.

## **Part II: Summary Of Findings**

### **602.14(b) Separate and Independent**

**(b) For purposes of this section, the term separate and independent means that--**

- (1) The members of the agency's decision-making body--who decide the accreditation or preaccreditation status of institutions or programs, establish the agency's accreditation policies, or both--are not elected or selected by the board or chief executive officer of any related, associated, or affiliated trade association or membership organization;**
- (2) At least one member of the agency's decision-making body is a representative of the public, and at least one-seventh of that body consists of representatives of the public;**
- (3) The agency has established and implemented guidelines for each member of the decision-making body to avoid conflicts of interest in making decisions;**
- (4) The agency's dues are paid separately from any dues paid to any related, associated, or affiliated trade association or membership organization; and**
- (5) The agency develops and determines its own budget, with no review by or consultation with any other entity or organization.**

Regarding compliance with this criterion, the agency provided the required attestation that there has been no relevant change in this section. However, the agency has discussed the Commission on Community College Accreditation in 602.14(d)(e) as a decision-making body. The agency should be aware that this decision-making body is not recognized by the Secretary in the agency's scope of recognition and would not enable free-standing institutions accredited by this body to participate in Title IV Federal Student Aid programs. The agency must provide more information about the Commission on Community College, specifically its role and authority as a decision-making body for free-standing institutions offering music and music related programs.

#### **Analyst Remarks to Response:**

The agency has provided some historical information regarding its scope of recognition and its Commission on Community College Accreditation. Department staff has also conducted internal research regarding the Commission on Community College Accreditation. Most recently the Commission on Community College Accreditation was not included in the July 1, 2008 decision letter or subsequent decision letters; however, prior (before July 2008) decision letters included/recognized this body. Nonetheless, the agency has clearly communicated that the Commission on Community College Accreditation has continued to be an active decision-making body and has continually operated with the proper composition of academics, administrators, and public members. In addition, the agency has documented the qualifications of the individuals currently serving on the Commission on Community College accreditation.

Therefore, Department staff is recommending that this decision-making body be restored to the NASM scope of recognition.

Recognized entity: National Association of Schools of Music, Commission on Accreditation.

Scope of Recognition: The accreditation throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting) including those offered via distance. This recognition is also extended to the Commission on Community College Accreditation.

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### **602.14(d)(e) Separate & Independent Waiver**

**(d) For purposes of paragraph (a)(3) of this section, the Secretary may waive the "separate and independent" requirements in paragraph (b) of this section if the agency demonstrates that--**

- (1) The Secretary listed the agency as a nationally recognized agency on or before October 1, 1991 and has recognized it continuously since that date;**

**(2) The related, associated, or affiliated trade association or membership organization plays no role in making or ratifying either the accrediting or policy decisions of the agency;**

**(3) The agency has sufficient budgetary and administrative autonomy to carry out its accrediting functions independently; and**

**(4) The agency provides to the related, associated, or affiliated trade association or membership organization only information it makes available to the public.**

**(e) An agency seeking a waiver of the "separate and independent" requirements under paragraph (d) of this section must apply for the waiver each time the agency seeks recognition or continued recognition.**

**(NOTE: An agency must respond to this section only if it is requesting a waiver of the "separate and independent" requirement.)**

Although NASM is housed with other arts Associations within the National Office for Arts Accreditation in Higher Education, the Associations each have separate boards and commission on accreditation and do not co-mingle funding or accreditation activities.

NASM requests the Secretary's waiver from 602.14(b) requirement to serve as a separate and independent agency due to compliance with the following criteria:

1. The agency has sought and received a waiver from the separate and independent requirement since receiving the Secretary's recognition in 1952 which exceeds the requirement to be a continuously nationally recognized agency on or before October 1, 1991.

2. The agency's Commission on Accreditation is the current recognized decision-making entities of the agency (Exhibit 8: NASM Bylaws III, p. 2). This Commission is responsible for making or ratifying accreditation decisions for institutions seeking initial and renewal of accreditation, approvals for curriculum listings (Exhibit 1: NASM Handbook 2018-18, Bylaws, Article IV, Section 1.C), and approving amendments to the agency's Rules of Practice and Procedures (Exhibit 2: NASM Handbook 2017-18, Rules of Practice and Procedure, Part II, Section 3). Department staff observed the Commission on Accreditation's role as the agency's decision-making body during the June 2018 meeting as noted in Exhibit 81: NASM Report of the Commission on Community College Accreditation. In addition and based on the information and documentation provided, it appears that the agency has a second decision-making body - the Commission on Community College Accreditation. The agency should be aware that this body is not recognized by the Secretary. If this decision-making body is making accreditation decisions for free-standing institutions offering music and music related programs, the Commission on Community College Accreditation must be comprised of academics, administrators, and meet the one-seventh requirement for public members and must be included in the agency's scope of recognition. Since the Commission on Community College Accreditation is not recognized by the Secretary, decisions made by this body would not enable free-standing institutions covered in the agency's scope of recognition to participate in Title IV Federal Student Aid programs and its accreditation actions would be considered outside of the agency's authorized scope of recognition.

3. NASM has provided independently prepared audits and financial statements for 2017 and 2018 as well as the approved budget for 2018-2019 to demonstrate the agency's budgetary and administrative autonomy to carry out its accrediting functions as required for this criteria. After staff prepares the annual budget based on past revenues and expenses, anticipated income and expected and planned costs, the Executive Committee reviews and approves and engages in long-range financial planning for the agency (Exhibit 5: NASM Handbook 2018-18, Bylaws, Article III, Section 4D and Exhibit 74: NASM Executive Committee Meeting Agendas). The Board of Director's are responsible for reviewing the independently prepared audits and financial statements (Exhibit 78: Board of Directors Meetings Agendas). Each body has a deliberative managing function specific to NASM as defined in the NASM Handbook (Exhibit 8: NASM Handbook 2017-18, Bylaws, Article III).

4. In addition to maintaining budgetary and administrative autonomy, the agency publishes on its website (<https://nasm.arts-accredit.org/>) accreditation material for potential and current member institutions, reports on Commissions' activities and annual meetings (Exhibit 81: NASM Report of the Commission on Community College Accreditation and Reports of the Commission on Accreditation) and current notices of interest to the NASM community.

#### **Analyst Remarks to Response:**

As noted in 602.14(b), the agency has provided sufficient documentation to demonstrate meeting the requirements for composition, qualifications, and credentials of the Commission on Community College Accreditation as a decision-making body. This Commission also has public member representation as required by the Department and the agency has provided signed conflict of interest forms for all members of this decision-making body.

The agency has provided some historical information regarding its scope of recognition and its Commission on Community College

Accreditation. Department staff has also conducted internal research regarding the Commission on Community College Accreditation. Most recently the Commission on Community College Accreditation was not included in the July 1, 2008 decision letter or subsequent decision letters; however, prior (before July 2008) decision letters included/recognized this body. Nonetheless, the agency has clearly communicated that the Commission on Community College Accreditation has continued to be an active decision-making body and has continually operated with the proper composition of Academics, Administrators, and public members. In addition, the agency has documented the qualifications of the individuals currently serving on the Commission on Community College accreditation.

Recognized entity: National Association of Schools of Music, Commission on Accreditation.

Scope of Recognition: The accreditation throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting) including those offered via distance. This recognition is also extended to the Commission on Community College Accreditation.

Therefore, Department staff is recommending that this decision-making body be restored to the NASM scope of recognition. The Department staff recommends that the agency continues to receive the Secretary's waiver for separate and independent requirements because the agency meets the criteria in sections 602.14(d)(e).

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### **602.15(a)(1) Staffing/Financial Resources**

**The agency must have the administrative and fiscal capability to carry out its accreditation activities in light of its requested scope of recognition. The agency meets this requirement if the agency demonstrates that--**

**(a) The agency has--**

**(1) Adequate administrative staff and financial resources to carry out its accrediting responsibilities;**

As noted in the previous section, NASM operates independently and maintains its administrative and fiscal capability to carry out its accreditation activities. There are 12 full-time staff members with specific duties and responsibilities. The Executive Director meets regularly with staff to review staff roles and responsibilities and the work of the agency to ensure successful completion of the Association's work, including Commission accreditation activities. The agency's staff training protocols (Exhibit 86) is an outline of how staff are oriented to the Association's purpose and operations and they consistently receive ongoing training as necessary. The agency has also provided staff resumes as documentation of the staff's credentials and qualifications to fulfill the roles and positions assigned (Exhibit 83: NASM Staff List and Staff Duties and Exhibit 85: NASM Staff Resumes). In addition, a description of the Executive Director's roles and responsibilities as the chief staff officer and ex officio, non-voting member of the Association is noted in the NASM Handbook (Exhibit 9: NASM Handbook 2017-2018, Bylaws, Article VII). The NASM Handbook also notes that the Executive Director position is appointed by the Executive Committee and subject to annual review. The current Executive Director's biography (Exhibit 85: NASM Staff Resumes) notes the credentials, qualifications, and competencies of the Executive Director to serve in this position. However, the Executive Director's resume must also be submitted to meet the requirements of this section as determined by Department policy in the guidelines.

As noted in the previous section, the agency has submitted narrative and documentation of audited financial statements for two consecutive years as evidence of its fiscal capability to fulfill the accreditation activities of the agency (Exhibit 79: NASM Audited Financial Statement Year Ending August 30, 2017 and Exhibit 80: NASM Audited Financial Statement Year Ending August 30, 2018). In addition, the agency has provided the approved budget for 2018-2019 (Exhibit 73: NASM Approved Budget 2018-2019) to demonstrate anticipated operating expenses, adequacy of resources, and consistent steward of the agency's funds as appropriate.

#### **Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided documentation to demonstrate adequate credentials and qualifications of its Executive Director. The agency has met this requirement with the submission of the Executive Director's resume.

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### **602.15(a)(2) Competency of Representatives**

**(2) Competent and knowledgeable individuals, qualified by education and experience in their own right and trained by the agency on their responsibilities, as appropriate for their roles, regarding the agency's standards, policies, and procedures, to conduct its on-site evaluations, apply or establish its policies, and make its accrediting and preaccrediting decisions, including, if applicable to the agency's scope, their responsibilities regarding distance education and correspondence education;**

### Decision-Making and Policy

Although the agency did not discuss the decision-making or policy making bodies in the narrative, the Bylaws submitted as documentation of agency standards and policies describe the accreditation decision-making entities as the Commission on Accreditation, Commission on Community College Accreditation, and Appeals Committee. However, the Commission on Community College Accreditation is not a recognized body in the agency's current scope of recognition. Therefore this decision-making body would not enable free-standing institutions offering music and music related programs to participate in Title IV programs pursuant to the agency's current scope of recognition.

The Commission on Accreditation is comprised of eighteen members, including three Public Members. The elected member must have served as a visiting evaluator to qualify as a Commission member and each member represents a variety of music background and perspectives and various types of accredited educational institutions with an appropriate geographical distribution (Exhibit 21: NASM Handbook 2017-2017, Bylaws, Article IV, p.4). Each Commission member serves in a category which represents a degree-level appropriate to the institution from which they work or are acquainted or the At-Large category, which may be comprised of members that serve in any type of baccalaureate or graduate-degree granting institution. However, the Executive Director may elect Commission members to different categories for balance or other purposes (p. 5). The agency has provided the list of Commission members as documentation of the qualifications of education, experience, and competencies related to agency requirements and as appropriate for the role of each Commission of Accreditation member (Exhibit 104: NASM List and Biographical Information for the Members of the Commission).

The Commission on Community College Accreditations is also recognized as a decision making body for the agency. This body is comprised of three members with responsibilities of applying accreditation standards to two-year degree-associate degree granting institutions (Exhibit 21: NASM Handbook 2017-2017, Bylaws, Article IV, p.5) with elected members that must have experience as visiting evaluators to serve as a member. In addition, the Commission on Community College Accreditation determines accreditation actions on behalf of the Association (p.6). However, the Commission on Community College Accreditation is not included in the agency's scope of recognition. Therefore, this decision-making body is not recognized. Accreditation activities performed by this body would not enable free-standing institutions offering music and music related programs to participate in Title IV Federal Student Aid programs. The agency must inform Department staff if it wishes to include the Commission on Community College Accreditation in its scope of recognition. After review of member qualifications and the composition of this decision making body; which would consist of resumes for each member, including the public member, to ensure qualifications and competencies to serve as a decision-making body for the agency are met; Department staff will make a recommendation on the inclusion of the Commission on Community College Accreditation. The inclusion of this body in the NASM scope of recognition would enable free-standing community colleges that offer music and music related programs to participate in Title IV Federal Student Aid programs.

Both Commissions have authority to amend Part II of the Rules of Practice and Procedure in the NASM Handbook (Exhibit 21: NASM Handbook 2017-2017, Bylaws, Article IV, p.5). New members of each Commission receiving orientation and briefing materials (Exhibit 106: NASM Commission Orientation and Briefing Materials) and recurring members receive training materials and briefings prior to each Commission meeting. Training content includes agency standards, policies and practices, distance education programs, and procedures pertaining to the work and operation of the Commissions on behalf of the agency (Exhibit 105: NASM Manual for Commission Readers).

### Policy

The agency's Bylaws (Exhibit 21: NASM Handbook 2017-2018, Bylaws, Articles III-IV, Section 3) describes the Board of Directors as the body to establish and revise Part I of the Rules of Practice and Procedure of the NASM Handbook (p. 2). The Board of Directors is comprised of eleven members including the Chair and Associate Chair from the Commission on Accreditation and the Chair of the Commission on Community College Accreditation. There are three public members within the eleven members. Except for public members, the Board represents various music backgrounds and perspectives and Board Members a list of members were submitted (Exhibit 107: NASM List and Biographical Information for the Members of the Board of Directors) to demonstrate qualifications and experience. New Board members receive orientation during the Annual Meeting and training on conflict of interest policies, agency responsibilities regarding distance education, and the roles and responsibilities of members as outlines in the Bylaws (Exhibit 109: NASM Agenda for Orientation for New Board Members).

### Appeals Committee

The agency's Handbook (Exhibit 21: NASM Handbook 2017-2018, Rules of Practice, Part II, Article X, Section 9, A-D) describes how the Executive Director appoints members of an ad hoc appeal committee as needed for each appeals process. The committee is comprised of 3-5 people and at least one qualified Public Member, with education and experience qualifications to serve on the accrediting commission. Appointed appeal committee members are vetted for conflict of interest and cannot be a member of the Commission that made the original decision. Biographical information to demonstrate experience and qualifications are not submitted with this petition because there were no appeals to Commission accreditation decisions during this review period.

### Visiting Evaluators

As discussed in the narrative and discussed in documentation submitted by the agency (Exhibit 91: NASM Requirements for Volunteers and Elected and Appointed Officials), site evaluators must have an expertise in music or a music-related field with experience as an academic, administrator, practitioner, or educator with qualifications as appropriate. Evaluators are invited and

selected by the Executive Director and must avoid conflicts of interests or the appearance of such and remain unbiased during an evaluation. The agency has provided resumes of new evaluators and team chairs as documentation of the qualifications and expertise to meet this requirement (Exhibit 102: Redacted Resumes of Evaluators). Evaluators receive training and information on accreditation, NASM accreditation standards, policies, and practices, including distance education, case-study reviews and observations, the visitor's report and how it's used by the Commission. Department staff attended the two-day training session with new evaluators and observed the agency's implementation of its procedural practice as described in the Handbook (Exhibit 13: NASM Handbook 2017-2018, Rules of Practice and Procedure, Part I, Article I, Section 6).

**Analyst Remarks to Response:**

As requested in the draft analysis and discussed in 602.14(b)(d)(e), the agency has provided documentation for the Commission on Community College Accreditation, including public member representation, to demonstrate sufficient qualifications, credentials, and assigned roles as necessary for the required composition of a decision-making body for free standing institutions of music and music related programs.

The agency has met the requirements of this section. Therefore, Department staff is recommending that this decision-making body is restored to the agency's scope of recognition.

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**602.15(a)(3) Academic/Administrator Representatives**

**(3) Academic and administrative personnel on its evaluation, policy, and decision-making bodies, if the agency accredits institutions;**

As noted in the previous section, the agency's decision, policy, and evaluation bodies have expertise in music or a music-related field with experience and expertise as appropriate for the role of academic or administrator. The agency requirements are found in the Requirements for Volunteers and Elected and Appointed Officials (Exhibit 91) and the Bylaws concerning Association Government (Exhibit 22: NASM Handbook 2017-2018, Bylaws, Article III). In addition, the agency has provided redacted resumes of new visiting evaluators (Exhibit 102), biographical information of Commission members (Exhibit 104), Board of Directors (Exhibit 107), to demonstrate that the appropriate bodies meet the agency's policies for qualifications. However, the agency must provide a list of assigned roles and resumes for the Commission on Accreditation as the decision-making body; Board of Directors as the policy body; and visiting evaluators appointed during this review period to demonstrate implementation of its policy for elected and appointed officials. The agency has provided redacted resumes of the visiting evaluators but must identify the role the evaluator's is filling (academic/administrator or both). In addition, the agency needs to provide an actual site team report that indicates academics and the administrators serving on the site team so that the Department can determine the composition of site teams in the dossiers of an institution's full-cycle of review provided by the agency in 602.16.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided a list of its evaluators, officers, board members, and commission members as an accreditor of free-standing institutions identified for DAPIP ID numbers. The agency has provided a list of each body and has provided sufficient documentation to demonstrate qualifications and credentials necessary for the assigned role of the member such as resume's with assigned roles noted were submitted for the Commission on Accreditation, Commission on Community College Accreditation, and Board of directors while biographies and resume's with roles assigned were submitted for visiting evaluators. Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

The agency has provided sufficient documentation to demonstrate the appropriate assignment and composition of academic and administrative personnel on its evaluation, board, and decision-making bodies. Therefore, Department staff is recommending that this decision-making body is added to the agency's scope of recognition.

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**602.15(a)(5) Public Representatives**

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

As discussed in the narrative, one public member is allotted for every seven elected/appointed officials of the decision-making body for the agency and serves for a maximum of six years (Exhibit 22: NASM Handbook 2017-2018, Bylaws, Article IV, p2). The agency's policy on public member eligibility aligns with the Department's criteria, including no personal or professional connection to any

member institution and adherence to the conflict of interest/appearance of conflict of interest policy. In addition, the agency includes record of public service in the arts and/or education, and capacity in which the member would serve (Exhibit 115: NASM Criteria for Public Members. The agency has submitted the list and biographical information of the Commissions (Exhibit 104) and Department staff has uploaded the list and biographical information of the Board of Directors (Exhibit 107). However, resumes are needed for the Commission on Accreditation and Board of Directors, including the public members, to demonstrate that the composition of these decision-making bodies meet the requirements of this section.

**Analyst Remarks to Response:**

As requested in the draft analysis, the agency has provided a list of officers, board, commission, and committee members with public member representation on its Commission on Accreditation and Board of Directors. There are three public members which serve on both, Board of Directors and the Commission on Accreditation since the two bodies do not serve or meet simultaneously. In addition, each Public Members serves as the representative for the Commission on Community College Accreditation as a separate decision-making body from the larger Commission on Accreditation and do not serve in this capacity simultaneously.

The agency has met the requirements of this section. Therefore, Department staff is recommending that this decision-making body is restored to the agency's scope of recognition.

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**602.15(a)(6) Conflict of Interest**

**(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**

The agency has a conflict of interest policy that includes avoiding a conflict of interest or the appearance of a conflict of interest in any aspect of its accreditation activities and in its other operations (Exhibit 24: NASM Handbook 2017-2018, Rules of Practice and Procedure, Part I, Article I, Section 2). The agency's policy applies to all elected and appointed officials and staff and, if an issue/concern arises, it is brought to the Executive Director who then gathers information; solicits advice as appropriate; and attempts to resolve the issue as guided in the policies and procedures sections of the Handbook. If the Executive Director is unable to resolve the issue, the matter is taken to the Executive Committee (p. 26). As noted in the criterion, the agency has specific conflict of interest policies for the Board of Directors (Exhibit 118), Commissioners (Exhibit 119), site evaluation members (Exhibit 120), and staff (Exhibit 122). The agency has provided an invitation to evaluators, which denotes the conflict of interest policy as well as sample communication of a perceived conflict, as evidence of its policy. Specifically, the agency has provided email correspondence of evaluator's on conflict of interests, however, conflict of interest forms with the signatures of Commissioner's, site evaluator's, staff, and other elected and appointed officials attesting to the agency's conflict of interest policies/attestation has not been included as evidence for review.

In addition, Department staff observed the agency's Commission members addressing conflicts of interests prior to review of each institution's review during the November 2018 Commission Meeting; and new site evaluators receiving training and signing conflict of interest forms during the training session in November 2018. Furthermore, the agency has provided documentation of recusals due to conflict of interest for site evaluators to demonstrate implementation of its controls against a conflict of interest or the appearance of a conflict of interest as required for this section.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided signed conflict of interest forms for members on its visiting evaluators for full-cycles of review for two accredited institutions, Board of Directors, Commission on Accreditation, Commission on Community College Accreditation, Public Members, and administrative staff.

The agency has met this requirement.

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**602.16(a)(1)(i) Student Achievement**

**(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.**

As discussed in the narrative, the agency has standards that address student achievement from various aspects including degree programs, areas of study such as performance, music theory, composition, etc., delivery systems. The agency also has operational standards (Exhibit 31: NASM Handbook 2017-18, Standards for Accreditation, II-III and Exhibit 30: Addendum to the 2017-18 NASM Handbook ) which outline institutional conditions and resources necessary to ensure the development of student competencies in relation to the many types of program goals expected to be developed while enrolled in the program (Exhibit 29: NASM Handbook 2017-18, Standards for Accreditation, Sections IV through XX and Appendices I.A through I.I. and Exhibit 30: Addendum to the 2017-18 NASM Handbook). The agency's curricular and operational standards are reviewed by the agency independently and in relation to how they are used as a basis for addressing student achievement and the agency provides evaluators with a procedural manual for reviewing operational standards (Exhibit 27) and for review of the music unit with regards to Association standards (Exhibit 136).

In addition, the curricular and operational standards both serve as the framework on which each institution is expected to establish more detailed standards for the specific programs/degrees offered, levels of each program/degree, and the institution's mission for the specific music program. Although the institution develops standards to address its unique mission, the agency's accreditation is based on the institution meeting the "threshold" requirement of the agency's standards and student achievement is then determined by review of, 1) the curricular goals and objectives determined by the institution (Exhibit 138: NASM Procedures for the Self-Study Document, Section III: Evaluation, Planning, Projections) ; 2) the institutions' management, operation, and reporting systems pertaining to student achievement (Exhibit 148: NASM Procedures for the Self-Study Document Format B, Section II); 3) the ability of the institution to demonstrate agency standard alignment of its goals and objectives and student achievement systems in the Self-Study (Exhibit 125: Procedures for the Self-Study Document Format A, Section II and Exhibit 126: Procedures for the Self-Study Document Format C, Section I); and 4) on-site evaluator's observation of student work to determine defined competencies (Exhibit 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Reports(s) Part 1, Appendix K – Student Benchmarks). As noted in the narrative, the agency allows institutions to establish their own student achievement standards; however, the agency has not discussed the process it uses to evaluate whether an institution's student achievement standards are sufficiently rigorous as required by regulation.

The agency has provided documentation to demonstrate implementation of its policies on operational and curricula standards, including student competencies, to demonstrate meeting the requirements of this section (EXHIBIT 137: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 1; Exhibit 137: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 2; and Exhibit 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s)). The site evaluators implement the policies on operational and curricula standards by reviewing student performances, faculty demonstrations during classroom observations, and discuss curricula rigor and student achievement from the perspective of the student, faculty/instructor, and administrators.

In addition, Department staff reviewed accreditation applications submitted by free-standing institutions during a Commission on Accreditation meeting (Exhibit 137: NASM Free Standing Institutions of Higher Education USDE Staff Review of Materials Available on-Site) and observed implementation of the agency's accreditation review and decision-making policies (Exhibit 128: NASM Procedures for Institutions, XIV (Commission Action)). However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self-study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b)(6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of

personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

#### **Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has described the continuous feedback mechanisms required for music and performance and noted that the agency requires implementation of in-depth and multi-faceted evaluation mechanisms using institutional evaluations which require evaluators to review student performance and the quality of student work in each area or major. This also demonstrates the agency's consistent application of its student achievement standards, and consistency regarding the evaluation of an institution's compliance with the agency's standard for student achievement.

In addition, the agency has provided clarity to its narrative on expectations for national and institutional assessment in the field of music and music related programs (Exhibit 68). As outlined in the NASM Handbook (Exhibit 51), the agency defines what form of instruction and what a student must do to demonstrate competency in a certain area (Exhibit 50) while allowing the institution to define how rigor is applied and the mechanisms for monitoring student progress. Notably, an agency's assessment of rigor and competency includes original productions of work by each individual student which is continuously monitored and assessed. Other mechanisms for music assessment include auditions, lessons/classes, recitals/performances, writing assignment, exams, and dissertations (Exhibit 53). Site evaluators have an opportunity to observe and review these mechanisms during on site reviews to ensure implementation of what was submitted in the self-study for compliance of the standard and at the various degree programs (Exhibit 66).

The agency also provided DAPIP ID numbers to identify institutions and demonstrate the documentation is related and regarding the same institution. This also demonstrates the agency's consistent application of its student achievement standards, and consistency regarding the evaluation of an institution's compliance with the agency's standard for student achievement. provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for student achievement. The agency has also provided documentation of the proper documentation of a full cycle of review and supplemental annual reports for free-standing institutions it accredits (Exhibits 48, 49, 60). The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 65 and 66).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

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#### **602.16(a)(1)(ii) Curricula**

##### **(a)(1)(ii) Curricula.**

As discussed in the previous section, the agency has curricula standards that address various aspects of the music program including level of degree, areas of study (including general education coursework) such as performance, music theory, composition, etc., and delivery systems such as face-to-face or distance education. Also discussed in the previous section is how the agency's operational standard align with curricula standards and require specific competencies, experiences, and opportunities for all students (Exhibit 29: NASM Handbook 2017-18, Standards for Accreditation IV through XX, and Appendices I.A. through I.I. and Exhibit 30: Addendum to the 2017-18 NASM Handbook). The agency's operational standards require institutions to publish materials including clear and accurate materials on title, content, and method of delivery (Exhibit 29: NASM Handbook 2017-18, Standards for Accreditation, IV-XX) and its curricula standards specifically address course content, general education requirements, competencies, experiences, and performance (Exhibit 29: NASM Handbook 2017-18, Standards for Accreditation, IV-XX; Appendices I.a-I.I and Exhibit 125: NASM Procedures for the Self-Study Document Format A, Section II: Instructional Programs Portfolio).

The agency has also provided documentation of implementation its policy, including Commission action letters, to demonstrate that it meets the requirements of this section (Exhibit 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 1; Exhibit 177: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 2 and Exhibit 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s)). In addition, Department staff reviewed accreditation applications submitted by free-standing institutions during a Commission on Accreditation meeting (Exhibit 137: NASM Free Standing Institutions of Higher Education USDE Staff Review of Materials Available on-Site). However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self-study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to

provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for the quality of curricula at the institutions it accredits. The agency has also provided documentation of the proper documentation of a full cycle of review for free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

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**602.16(a)(1)(iii) Faculty**

**(a)(1)(iii) Faculty.**

As noted in the narrative, the agency's standards for faculty include faculty competence to teach assigned subjects; required degree/credential, experience, training; and, for graduate programs, experience in the area in which the graduate student aspires in addition to having the professional experience in the fields of composer, performer, scholar, or practitioner (Exhibit 38: NASM Handbook 2017-0=18, Standards for Accreditation, II.E. 1.a). In addition, the agency require faculty to participate in governance and administrative responsibilities such as a major role in developing artistic and academic programs, evaluating and having input on the standards for instruction, creative work, and research (Exhibit 38: NASM Handbook 2017-0=18, Standards for Accreditation, II.D. 1.a. (4) (c). Faculty load, clock hours for classroom instruction, faculty development (including graduate teaching assistants and peer mentoring) must meet the institution's mission and goals while allowing opportunities for artistic, scholarly, and professional activities (p. 3).

The agency has provided documentation as evidence of implementing its standards that address the quality of the program's faculty. Included in the full-cycle of review (Exhibit 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 1), the site evaluators note the faculty governance structure with an "artistic steering committee" and "academic affairs committee" using faculty representation in which academic and artistic matters are shared among the President and the Provost. Furthermore, the self-study includes faculty resumes, training agendas, and notes from the site evaluators' interviews with and observations of full- and part-time faculty as well as graduate teaching assistants (Exhibit 177: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 2 and Exhibit 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s)). Department staff also reviewed documentation of a self-study, site evaluation report, and Commission action letter of a free-standing institution during a Commission meeting in November 2018.

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self- study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for qualifications of the faculty for institutions it accredits (Exhibits 46-49). The agency has also provided documentation of the proper documentation of a full cycle of review for free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

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### **602.16(a)(1)(iv) Facilities/Equipment/Supplies**

#### **(a)(1)(iv) Facilities, equipment, and supplies.**

The agency has discussed its standards for quality of the facilities, equipment, and supplies as well as the requirements for the maintenance and operation of equipment and technology and the acoustic conditions association with health and safety in practice, rehearsal, and performance facilities. The facilities standards also address appropriate size and scope of the music unit, degrees and programs offered, faculty and administrative offices, computer and storage facilities, and a music library (Exhibit 39: NASM Handbook 2017-18, Standards for Accreditation, II.F.). The standards also require music programs to include budget plans for adequate maintenance and acquisition of equipment and technology. The agency's standards also notes guidelines and recommendations based on best practices in facility maintenance, policies and protocols for conducive learning environments and for ensuring the health of faculty and students (Exhibit 39: NASM Handbook 2017-18, Standards for Accreditation, II.F.2.).

The agency has provided documentation of site evaluator's procedures for assessing a program's facilities, equipment, technology, health, and safety (Exhibit 144: Procedures for Visiting Evaluators, Section V.F.) as well as full cycles of accreditation reviews with the Commission decision letters to demonstrate meeting this requirement (Exhibit 177: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 1 and Exhibit 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s)).

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self-study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

#### **Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for the quality and effectiveness of the facilities, equipment and supplies at the institutions it accredits. The agency has also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

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### **602.16(a)(1)(v) Student Complaints**

#### **(a)(1)(v) Fiscal and administrative capacity as appropriate to the specified scale of operations.**

As discussed in previous sections, the agency has standards that require the music unit to have adequate resources and the fiscal and administrative capacity to meet the terms of the mission, goals, objectives, size and scope of the program. Standards for fiscal

resources also require budget allocations to ensure sufficient sustainability of the music program for the projected period of accreditation and maintenance of financial records and audited statements that reveal sound financial management (Exhibit 40: NASM Handbook 2017-18, Standards for Accreditation, II.C.1). Standards for administrative capacity also address governance, governance structure, and operations that assure continuity and stability with evidence of long-range planning, roles and responsibilities of the board of trustees, music executive, and other administrators of specialized areas (Exhibit 40: NASM Handbook 2017-18, Standards for Accreditation, II.D.1).

In addition to documentation of standards, the agency has submitted full cycles of accreditation reviews with the Commission action letters to demonstrate meeting the requirement (Exhibit 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 1; Exhibit 177: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) Part 2 and Exhibit 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s)). Furthermore, additional documentation of written policies to music units and programs regarding the agency's fiscal and administrative capacity standards ((Exhibit 146: Procedures for Visiting Evaluators, Section V.C, Finances: Section V.D., Governance and Administration) as well as Exhibit 146: NASM Procedures for Visiting Evaluators, Section V.C. as written procedures for how to report an assessment of a music unit or program according to agency standards (p.VE-16-17).

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self- study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

#### **Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for the quality and fiscal and administrative capacity appropriate for the specific size and scale of operations at the institutions it accredits. The agency has also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

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#### **602.16(a)(1)(vi) Fiscal/Administrative Capacity**

##### **(a)(1)(vi) Student support services.**

As discussed in the narrative, the agency has standards that require music units and programs to have effective student support services to facilitate academic success. The NASM Handbook 2017-18, Standards for Accreditation, XXI.1.G addresses student services and advising and notes that student services must be provided by individuals with appropriate training, expertise, and abilities and available to all students (Exhibit 48). The Handbook also lists standards for financial aid/student loans, conducive housing and food services and the institution is required to facility access to counseling, professional care, and personal well-being (Exhibit 48).

The agency also has standards regarding access to information on financial aid (Exhibit 41), health and safety services (Exhibit 43), and career development fundamentals for students in degree programs leading to a variety of music and music-related professions, including teacher certification (Exhibit 30: Addendum to the 2017-18 NASM Handbook, p.5-6). Student services must be provided by individuals with appropriate training, expertise, and abilities and available to all students (Exhibit 48). The agency also requires accurate and timely communications beginning with practices of integrity when recruiting prospective students, consistent and accurate advising and retention policies, and prompt evaluations and notifications to candidates for a degree, certificate, or diploma (Exhibit 45).

The agency has provided full cycles of accreditation reviews for two institution's self-studies, site evaluations, and Commission letters (Exhibit 176, Exhibit 177, and Exhibit 178) and procedural guidance for institutions (Exhibit 149: NASM Procedures for the Self-Study Document, Section I.C, I.D, I.F, I.I, I.M) and site evaluators (Exhibit 152: Procedures for Visiting Evaluators, Section V.H., Recruitment, Admission-Retention, Record Keeping and Advisement) as documentation to demonstrate implementation of its standards and policies addressing the quality of student support services.

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self- study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

#### **Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for the recruiting, admissions practices, academic calendars, publications, and grading and advertising practices that align with the educational mission and objectives at the institutions it accredits. As discussed in the draft analysis, the agency has standards for ensuring accuracy, clarity and accessibility of information available to the public as well as policies for effective recruiting methods.

The agency has also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45). Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit.

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#### **602.16(a)(1)(vii) Student Support Services**

##### **(a)(1)(vii) Recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising.**

As discussed in the narrative, the agency's standards on recruiting and other practices, including retention, advisement, and record keeping, are noted in the NASM Handbook (Exhibit 49) and requires institutions to only admit students to programs or curricula for which they show aptitudes for success (p. 70). In addition, institutions must be able to provide the requisite coursework and experiences that are appropriate for all students enrolled. The agency's standards also require that, although an institution has recruitment goals, the practices must be ethical and compatible with the goals and objectives of the music unit. The recruitment practices must be "free of practices that compensate recruiters directly on an individual or aggregate per-student-yield basis or otherwise create conflicts of interest for recruitment personnel or the institution" (p. 71). The amendment to the Handbook (Exhibit 30) notes that retention policies are appropriate, defined, and clearly communicated to parents and students and that articulation agreements with other institutions are clear and include all relevant information for admission and credit procedures (p.2).

The agency has demonstrated implementation of its standards and policies as documented in Exhibit 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) and 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s) which include site evaluation reports on an institution's website with pages related to the institution's academic calendar and advertising. In addition, Department staff reviewed documentation of site evaluator's examination of free-standing institutions' compliance with agency standards and policies for recruitment, advisement, publications, and record keeping of grades/transcripts, and admission procedures as noted in Exhibit 137: NASM Free-Standing Institutions of Higher Education USDE Staff Review of Materials on-Site. The agency also requires institutions to meet specific guidelines for their catalogs, and academic calendars.

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self- study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to

provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard (Exhibit 53: NASM - R Standards V) for admission criteria as well as aptitudes and achievements for admission into undergraduate and graduate degree programs offered at the institutions it accredits. The agency has also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit and has uploaded Exhibit 53 documentation regarding recruiting and other practices.

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**602.16(a)(1)(viii) Recruiting & Other Practices**

**(a)(1)(viii) Measures of program length and the objectives of the degrees or credentials offered.**

The agency narrative discussed program lengths in relation to the subject matter, degree level, and credentials offered by the music unit and require minimum numbers of hours for semester or quarter systems as written in the NASM Handbook (Exhibit 50). In addition, the agency's standards defines each degree level based on the program length and the equivalency of academic years and notes that credits are awarded according to the institution's published policies and as compliance with agency standards. For programs that use different modes of delivery, the amount of time is computed on the equivalent amount of work and achievement of credit(s) earned and is only awarded when curricular, competency, final exam or equivalent, and all other requirements are met (Exhibit 50: NASM Handbook 2017-18, Standards for Accreditation, III.A. p.76).

Instructional programs are provided procedures for compliance and what is needed to meet credit and time requirements (Section IV, p.A-31) and Visiting Evaluators are provided with documentation of procedures for reviewing a music unit's program length (Exhibit 139). The agency demonstrates compliance with its standards and policies for procedures with documentation in the full-cycle of review, including the Commission Action letters, in 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s) and 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s).

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self-study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for sufficient program length, descriptors of each degree with the minimum number and types of credits award for course and requirement completion at institutions it accredits (Exhibit 50). The agency has

also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit. Department staff has uploaded Exhibit 50 to verify a review of the agency's standards for measures of program length and objectives of degrees offered as implemented in Exhibits 46-49.

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### **602.16(a)(1)(ix) Program Length**

#### **(a)(1)(ix) Record of student complaints received by, or available to, the agency.**

As discussed in the narrative, the agency's policies and procedures for student complaints are provided in the NASM Handbook and is noted as a standard (Exhibit 52: NASM Handbook 2017-18, Standards for Accreditation, XXI.1.G.8) as well as a rule of practice (Exhibit 51: NASM Handbook 2017-18, Rules of Practice and Procedure, Part II, Article VIII). The standards and rules require a music unit's student complaint policies to be clearly stated, well publicized, and readily available for students.

The agency provides counsel for potential complaints (Exhibit 51, p. 38) and requires that complaints are eligible for review if the issues are within the scope of NASM standards, procedures, rules, and Code of Ethics as published in the Handbook (Exhibit 51, p. 38). Agency standards and rules also require that a complaint against a music unit be submitted in writing along with the NASM Official Complaint Form; highlighting the specific issues; relevant evidence; signature of complainant; and forwarded by U.S. Mail or courier (p. 38-39) to the agency.

The agency has demonstrated meeting this requirement by providing documentation of the procedures that Visiting Evaluators must follow when reviewing student complaint records during a site visit (Exhibit 152: NASM Procedures for Visiting Evaluators, Section V.H., Recruitment, Admission-Retention, Record Keeping and Advisement) and as demonstrated during the full-cycles of review in Exhibits 177: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s), Part 2 and 178: NASM Institution #2, Comprehensive Review Dossier including Commission Action Report(s).

However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self-study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination. If the agency does not wish to include the name of the institution, it could use another identifier, such as the schools OPE ID. It should also be noted that the Freedom of Information Act Exemption (b) (6) permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." OGC has determined that the institution of higher education is not an individual, so this FOIA exemption does not apply to the names of institutions.

Lastly, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each evaluation team; therefore the agency has not demonstrated that it includes an academic and an administrator representative as required by the criterion. The agency must provide this information on the site team reports within the dossier and on the resumes provided in 602.15 in order to meet the requirements of this section of the criteria.

#### **Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for the effectiveness of its student complaints policy at the institutions it accredits (NASM HB p. 147). The agency has also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit. Department staff has uploaded the NASM Handbook as documentation of its standard for student complaints as implemented in Exhibits 46-49.

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### **602.16(a)(1)(x) Title IV Responsibilities**

#### **(a)(1)(x) Record of compliance with the institution's program responsibilities under Title IV of the Act, based on the most recent student loan default rate data provided by the Secretary, the results of financial or compliance audits,**

**program reviews, and any other information that the Secretary may provide to the agency; and**

As a Title IV gatekeeper, the agency requires music units to submit data regarding default rates in student loan programs and evidence of the institution's continued compliance with Title IV federal regulations. Agency standards require equitable review of applications with clearly and published eligibility criteria (Exhibit 53: NASM Handbook 2017-18, Standards for Accreditation, XXI.1.G.5) and that students are made aware of the loan conditions. Record of the institution's compliance is submitted in the supplemental annual report (Exhibit 131: NASM Supplemental Annual Report form) data regarding federal/state financial aid programs. Information required includes current tuition and fee schedules, identification of federal and/or state student loan and grant program participation, the percentage of institutional tuition income derived from federal loans and grants, enrollment (including distance/correspondence education), and auditor statements.

The agency has provided documentation of its standards and policies and a full-cycle of review, including Commission action reports, to demonstration meeting this section (Exhibit 176: NASM Institution #1, Comprehensive Review Dossier including Commission Action Report(s), Part 1, p.16). Also, the Visitor's Evaluation report in Exhibit 176 notes review of financial aid distribution and records of loans, grants, and scholarships as additional documentation of implementation of agency rules of practice and procedure (Exhibit 54). However, it is important to note that the agency's practice of redacting the name of the institution described in the petition narrative hinders staff analysis for agency compliance with the requirements of the section and prevents Department staff from conducting certain checks and comparisons during the analysis (such as determining if the self- study and the team report are actually for the same institution or if the institution being evaluated is listed on the agency's accredited schools list). The agency must attempt to provide this needed information for a compliance determination.

Furthermore, the site visit reports do not indicate the role of each member. The Department is unable to determine the composition of each team, therefore the agency has not demonstrated that it includes an academic and an administrator representative. The agency must provide the name of the evaluator on the site team in the dossier and on the resumes provided in 602.15 in order to meet the requirements for any sections of 602.16.

**Analyst Remarks to Response:**

As requested in the draft staff analysis, the agency has provided DAPIP ID numbers to demonstrate relevance and consistency with an institution's compliance with the agency's standard for the effectiveness of its standard for compliance with title IV responsibilities, including notification of information to students, at the institutions it accredits as noted in NASM Handbook 2017-18, Standards for Accreditation XXI.1.G.5. The agency has also provided documentation of the proper documentation of a full cycle of review for two free-standing institutions it accredits. The agency has provided resumes of visiting evaluators to show credentials of the site evaluators reviewing and the NASM Handbook outlines the roles and composition of the team (Exhibits 41-45).

Department staff was able to verify comprehensive review materials as consistent for the institution's dossier and that the appropriate academic and administrative visiting evaluator completed a review of the self-study and on-sight visit. Department staff has uploaded the NASM Handbook as documentation of its standard for institutional compliance with title IV responsibilities as implemented in Exhibits 46-49.

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**602.20(a) Enforcement Timelines**

**(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.**

As discussed in the narrative, the agency requires institutions to be in compliance with agency standards at all times during an accreditation period. However, if the Commission determines that an institution is not in compliance with one or more standards, if compliance is questionable, or there is a lack of sufficient information for a clear determination, the Commission will defer an application and require that the institution submit additional documentation and may be subject to additional monitoring (Exhibit 67: NASM Handbook 2017-18, Appendix III.E.). The agency has discussed "deferrals" as opportunities for the institution to bring itself into compliance with the agency's standards within a time period that must not exceed 12 months, if the program or the longest program offered by the institution is less than one year in length; 18 months if the institution has at least a one-year program; or two years if the program is at least two years in length (Exhibit 167: NASM Procedures for Institution, XIV (Commission Action), XV (Further Explanation of Deferral), XVI (Procedures Regarding Review of Accreditation Decisions), XVII (The Reaccreditation Cycle), XVIII (Maintaining Accreditation Status)). The agency monitors all institutions in deferral status as discussed in 602.19(b). The agency's Commission may also extend the period for good cause if it is determined and defined by the agency as "a concerted and comprehensive effort and activity on the part of the institution to maintain compliance with all relevant standards" and may be grant up to, but not to exceed, one year ( Exhibit 67: NASM Handbook 2017-18, Appendix III.E).

However, the agency's deferral policy is applied in several ways as discussed in Exhibit 170: NASM What Does Deferral Mean, the document reads, "in the accreditation process, the Commission finds a situation in which an institution cannot be given initial accreditation or renewal of accreditation on the basis of evidence presented. This may be because the institution already does not meet the standards as outlined in the NASM Handbook, or because the institution does not appear to meet the standards as outlined in the NASM Handbook, or because sufficient information has not been provided." The policy seems to indicate that the Commission takes action to defer an adverse action on a known non-compliant issue and possibly exceeds the enforcement timelines allowed by this criterion. In Exhibit 63: Rules of Practice and Procedure, Part II, Article IV, Section 3, the policy for Commission Policy Concerning Continuous Deferrals notes the option to place an institution on probation after the second consecutive deferral, which is also a concern because the policy specifically acknowledges the institution's "failure to meet a specific standard" but probation is not an adverse action and is not compliant with this requirement.

In addition, the Guidelines for interpreting the continuous deferral policy (Exhibit 67: NASM Handbook 2017-18, Appendix III.E.) stipulates that, "normally" the total time for demonstrating compliance shall not exceed the time frames in this section of the Secretary's criteria. This statement makes the agency's policy non-compliant because it contradicts the agency's deferral policy as noted in Exhibit 170. In accordance with the Secretary's Criteria for Recognition, an agency is required to take immediate adverse action, or give the institution a specific time frame for coming into compliance. The agency must clarify its policies on what adverse actions are taken for an issue of non-compliance or when the enforcement timelines is initiated for allowing an institution to bring itself into compliance, as defined by the Department and required in this criterion.

The agency has provided documentation to demonstrate implementation of its policies and procedures for deferrals in Exhibit 171: NASM Commission Reports which indicate Deferral Actions, however there's no documentation demonstrating implementation of the agency's policy for enforcing timelines as submitted in Exhibit 67: NASM Handbook 2017-18, Appendix III.E. The agency must provide clarity on what adverse actions are taken for an issue of non-compliance or when it initiates the enforcement timelines allowing an institution to bring itself into compliance, as submitted by the agency's policy in Exhibit 67 and as required in this section. It should be noted that evidence provided for this criterion must adhere to the redaction and Freedom of information Act requirements referenced in the staff determinations for section 602.16 of the petition.

#### **Analyst Remarks to Response:**

As noted in the draft staff analysis, the agency defined its deferral policy as "an action taken by the Commission which indicates that at least one issue of apparent non-compliance exists" and starts the time period for the agency initiate an adverse action or grant an opportunity (in this case, a deferral) for the institution to come into compliance.

However, if an institution has still not demonstrated full compliance with the agency's standard(s) after two consecutive deferrals of two years, the criterion requires the agency to initiate an adverse action or grant a good cause extension. Currently, the agency's Continuous Deferral policy ( Appendix III.E.) allows the Commission to make the decision of "probation" which exceeds the two year maximum timeline and is not an adverse action as described in 602.3.

The agency must amend its continuous deferral policy to clarify that an adverse action would be initiated after an institution is found not in compliance with an agency standard and has exceeded the continuous deferral policy of two years.

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### **Part III: Third Party Comments**

The Department did not receive any written third-party comments regarding this agency.

