

In July 5, 2005 the Department of Education released the findings of its investigation into a series of complaints filed against the Council on Chiropractic Education (CCE). The findings were directed to the CCE and copied to the organizations that had filed the complaints (The Council of New Jersey Chiropractors and the Doctors for Excellence in Chiropractic Education).

The ICA broke news of these findings in the fall issue of the *The Chiropractic Choice*. On November 10, 2005 the CCE issued a press release to make public its position regarding the findings of the US Department of Education.

In the spirit of full disclosure, *The Chiropractic Choice* offers its readers the text of the press release from the CCE, a commentary from the Chair of the Research Committee for DECE, and the full text of the letter from the US Department of Education. The ICA encourages all interested parties to review all sides of the issue before coming to any conclusion. The ICA also acknowledges that the CCE did initiate changes in their by-laws at their most recent annual meeting.

Letter from USDE to CCE

UNITED STATES DEPARTMENT OF EDUCATION OFFICE OF POSTSECONDARY EDUCATION

July 5, 2005

Martha S. O'Connor, Ph.D.
Executive Vice President
The Council on Chiropractic Education
8049 North 85th Way
Scottsdale, Arizona 85258-4371

Dear Dr. O'Connor,

The Department has concluded its review of the complaints lodged against the Council on Chiropractic Education (CCE) by the Doctors for Excellence in Chiropractic Education (DECE) and the Council of New Jersey Chiropractors (CNJC).

As a part of its review, the Department reviewed the DECE's and CNJC's allegations for applicability to the Secretary's Criteria for Recognition and requested that your agency respond to the allegations as well as provide answers to questions regarding your agency's application of its policies and procedures. The Department then reviewed all of the documentation for demonstrated compliance with the recognition criteria. The Department's authority in its investigation of complaints is limited to ensuring that the accrediting agencies it recognizes comply with the Secretary's criteria for recognition.

The allegations raised by the DECE and CNJC were related to the following criteria for recognition: §602.13, §602.14, §602.15, §602.18, §602.21, §602.22, and §602.23. With regard to these, the Department determined:

§602.13 Acceptance of the agency by others.

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

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

CNJC Allegation: CCE has not demonstrated that its standards, policies, procedures and decisions to grant or deny accreditation are widely accepted in the United States by chiropractic practitioners. More specifically, procedures are not in place to give practitioners an adequate opportunity to accept CCE standards, policies, etc.

DECE Allegation: CCE is not accepted because many institutions are opposed to the CCE corporate restructuring. CCE standards incorporating the definition of a primary care physician are in direct conflict with state laws prohibiting chiropractors from using the title or performing the functions of a physician. Certain chiropractic associations have voiced concern over CCE's "negative impact on chiropractic education."

CCE Response: CCE standards are developed and adopted with input from various chiropractic constituent groups, and requests for input are circulated through flyers and web postings. About one-half of the comments received regarding proposed standards revisions in 2002 and 2003 were received from practitioners. The American Chiropractic Association (ACA), the National Board of Chiropractic Examiners (NBCE), and the Federation of Chiropractic Licensing Boards (FCLB) have all expressed their support of the CCE decision making process.

Staff Finding: The agency is in compliance with this criterion. Acceptance of an agency does not necessarily mean that all constituent groups impacted by the agency will agree with that agency's policy decisions all of the time. In fact, it is possible to accept an agency's authority while, at the same time, disagreeing with its policies and standards.

COMMENTARY – SHOE IS ON THE OTHER FOOT

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University is now well on the road to reestablishing its position as the premier educational institution of the chiropractic profession.

The press release states "CCE continues to advance the chiropractic profession by demonstrating reliability, fairness and consistency in its accreditation activities and decisions." The United States Department of Education does not agree. Many in the chiropractic profession do not agree. Can CCE initiate the kind of monumental changes necessary to restore credibility? How will CCE fare when it applies for continued recognition next year? Do

we need another accrediting agency? The spotlight is now shining on the CCE, and the shoe is on the other foot. That's how I see it,

STEPHEN WELSH, D.C. is a graduate of Life University with more than 14 years experience as a private practitioner. His first career was as a telecommunications engineer. His 20 years experience in this field includes network design and marketing and strategic planning. He is currently president and CFO of Care More Enterprises, Inc., in Roswell, Georgia. Dr. Welsh serves on the Georgia Council Board of Directors and as Chair of the Research Committee of the Doctors of Excellence in Chiropractic Education (DECE).

§602.14 Purpose and organization.

- (c) **The Secretary recognizes only the following four categories of agencies:**
 - (1) **An accrediting agency that...**
 - (iii) **Satisfies the "separate and independent" requirements in paragraph (b) of this section.**
- (d) **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;**

CNJC Allegation: CNJC alleges that the Federation of Chiropractic Licensing Boards (FCLB) qualifies as a "related, associated, or affiliated trade association or membership organization." As such, its representation on the CCE commission is a violation of the "separate and independent" criterion.

CCE Response: CCE states that it is not "part of any other membership or trade organization" and that members of the CCE Commission on Accreditation may not serve as "an officer, governing board member or employee of FCLB, NBCE, ACA, ICA or any national chiropractic trade association other than the Association of Chiropractic Colleges."

Staff Finding: The agency is not in compliance with this criterion. This criterion applies exclusively to the mechanism by which members of an accrediting agency's decision making body are elected or selected. In the case of CCE, members of the Commission on Accreditation are elected by the CCE Board of Directors. Since members of the Board of Directors may not also serve as officers or board members of affiliated trade associations such as FCLB, there is no possibility that the FCLB president or board can elect members of the Commission on Accreditation in violation of this criteria. However the same restriction does not apply to the Association of Chiropractic Colleges, whose officers apparently may serve on the Board of Directors, and therefore be in a position to elect members of the Commission on Accreditation.

The CCE needs to revise its policies pertaining to the election of its Commissioners such that the CCE Board of Directors cannot serve as officers or board members of any related, associated, or affiliated trade association or membership organization to include the Association of Chiropractic Colleges.

§602.15 Administrative and fiscal responsibilities.

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 —**
 - (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;**

CNJC Allegation: CCE board members, commissioners, and evaluation