



**MEETING MINUTES**  
**Coordinating Commission for Postsecondary Education**  
**BryanLGH College of Health Sciences**  
**Room 204, 5035 Everett Street,**  
**Lincoln, NE**  
**Thursday, May 13, 2010**  
**8:30 a.m.**

**PUBLIC NOTICE:**

Public notice of the time and place of the regular meeting was posted to the state's public meeting calendar and was given to Commission members, institutional representatives, news media, the Legislative Fiscal Office and the Department of Administrative Services. A copy of the Open Meetings Act was made available at the meeting and its location was announced.

**Commissioners Present:**

Colleen Adam  
Clark Anderson  
Riko Bishop  
Dr. Dick C. E. Davis  
Dr. Ron Hunter  
Mary Lauritzen  
Eric Seacrest  
Dr. Joyce Simmons  
W. Scott Wilson  
John Winkleblack  
Carol Zink

**Commissioners Absent:**

None.

**Commission Staff Present:**

Angela Dibbert, Executive Assistant  
Dr. Kathleen Fimple, Academic Programs Officer  
Katherine Green, Planning and Policy Coordinator  
Dr. Marshall Hill, Executive Director  
Jason Keese, Public Information and Special Projects Coordinator  
Kadi Lukesh, Bookkeeper/Budget Coordinator, & Office Manager  
Dr. Barbara McCuen, Research Coordinator  
Ritchie Morrow, Financial Aid Coordinator  
Dr. Carna Pfeil, Associate Director for Finance & Administration  
Mike Wemhoff, Facilities Officer

**I. CALL TO ORDER**

Commission Chairman Joyce Simmons called the meeting to order at 8:36 a.m. at the BryanLGH College of Health Sciences, Room 204, 5035 Everett Street, in Lincoln, Nebraska on May 13. Attendance is indicated above.

**II. WELCOME**

Introductions

**III. MINUTES**

**A. Action item Approve the March 11, 2010 meeting minutes**

Motion Motion by Commissioner ZINK and second by Commissioner LAURITZEN to approve the March 11, 2010 meeting minutes as presented.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**B. Action item Approve the March 24, 2010 meeting minutes**

Motion Motion by Commissioner ADAMS and second by Commissioner HUNTER to approve the March 24, 2010 meeting minutes as presented.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**IV. CHAIRMAN'S REPORT**

**A. Updates and other reports**

Commission Chairman Simmons announced that item VIII.B.3 Southeast Community College – Long Term Care Administration (Certificate, AAS) (Appendix 8) had been withdrawn at the request of the institution.

There was an Executive Committee meeting held May 13 prior to the meeting to discuss designating alternate members for each committee. The Commission will not be implementing this concept.

Commission Chairman Simmons commented on the Nebraska College of Technical Agriculture-Curtis Education Center ground breaking.

## **V. EXECUTIVE DIRECTOR'S REPORT**

### **A. Update on the sale of Dana College**

Dr. Marshall Hill stated that the purchase of Dana College is dependent upon three things: 1) CCPE notification to the Higher Learning Commission (HLC) that the Commission approved the change in ownerships or that such approval is not required; 2) the reaffirmation of accreditation (in essence the approval of the sale by the HLC) ensuring that accreditation will continue after the sale; and 3) the acceptance by the U.S. Department of Education of the new structure and its ability to participate in federal financial aid programs. He said that Dr. Fimple and he would be participating in the HLC site visit to Dana on May 13 and 14.

### **B. Legislative update**

Ms. Katherine Green gave an update on the summary of bills and interim studies. One interim study that the Commission will be watching is LR 526, dealing with the Education Committee's review of Nebraska's higher education system.

Bills that passed this session included: LB 956, that made changes to the Nebraska Scholarship Act; and LB 1071, regarding sharing of education data, which passed without changes. The Community college bill, LB 1072, was the last major higher education bill that was passed.

### **C. Quarterly budget report**

Ms. Kadi Lukesh reviewed the third quarter budget report with the Commission. Staff has held true to the proposed budget cuts that we reported to Senator Lavon Heidemann and the Legislative Appropriations Committee. Ms. Lukesh also expressed appreciation to the Division of Administrative Services (DAS) for reducing some of their annual charges to state agencies. DAS returned \$3,000 to the Commission because of those reductions.

### **D. Update on student loan changes**

Mr. Ritchie Morrow stated that Congress passed legislation requiring that all loans must be made through the Direct Loan program. This would allow a savings for the federal government and additional funds would be available for student aid.

### **E. Updates and other reports**

Dr. Hill mentioned there are three points of good news: 1) CCPE has negotiated lease terms for the next five years; 2) the Governor has designated CCPE to administer a second round of Federal College Access Challenge Grant funds; and 3) the state auditor finished the Commission's attestation review – no real big surprises were found.

Dr. Hill mentioned an issue that arose yesterday about Herzing University. Some institutions were not provided a courtesy notification about the public hearing. The Commission's legal obligations were met by publishing a notice in the Omaha and Lincoln papers. However, due to incomplete distribution of courtesy notifications, Dr. Hill is requesting that the Commission defer this action until another time.

Dr. Hill and Mr. Morrow answered questions from Commissioners about the Access College Early (ACE) program and the participation of Omaha schools.

**VI. PUBLIC COMMENT ON MATTERS OF GENERAL CONCERN**

Mr. Tip O'Neill, President, Association of Independent Colleges and Universities of Nebraska (AICUN), asked for a deadline for written communication with respect to the Herzing University application. Mr. O'Neill is concerned about the amount of student debt that students are borrowing.

**VII. PUBLIC HEARING ON ACADEMIC PROGRAMS COMMITTEE ITEMS**

Mr. David Ho, Vice President of Academic Affairs, Metropolitan Community College, gave a brief update on the Health Information Technology program and answered questions from Commissioners.

Mr. Terry Gaalswyk, Vice President of Educational Services, and Mr. Doug Mader, Business & Industry Curriculum & Training Specialist with Western Nebraska Community College, briefed Commissioners on the Wind Energy Technician program.

Dr. William (Bill) Getter, Vice President of Academic Affairs, Herzing University, Milwaukee, Wisconsin, spoke on the Herzing University proposal and responded to issues addressed in the University of Nebraska letter plus answered questions from Commissioners.

Dr. Jack Huck, President, Southeast Community College, talked about the dilemma of clinical placement sites for health education programs in Nebraska and answered questions from Commissioners.

Dr. David Crouse, Associate Vice Chancellor for Academic Affairs, University of Nebraska Medical Center, commented on the issue of clinical sites and answered questions from Commissioners.

*NOTE: Adjourned for break at 10:36 a.m. Meeting resumed at 10:50 a.m.*

## VIII. ACADEMIC PROGRAMS COMMITTEE

Dr. Fimple explained each proposal and answered questions from Commissioners.

### A. Proposal for an out-of-state institution to offer programs in Nebraska

#### 1. Action item Herzing University, Milwaukee, Wisconsin – Lincoln Campus

##### Diploma:

- Medical Assisting
- Medical Billing and Insurance Coding
- Cisco Networking
- Microsoft Networking
- Network Systems

##### Associate of Science:

- Medical Assisting
- Medical Billing and Insurance Coding
- Business Administration
- Computer Networking & Security Technology
- Computer Science
- Criminal Justice
- Graphic Design
- Physical Therapist Assistant
- Surgical Technology

##### Bachelor of Science:

- Business Administration
- Computer Science
- Criminal Justice
- Graphic Design
- Health Care Management
- Nursing

#### 2. Action item Herzing University, Milwaukee, Wisconsin – Omaha Campus

##### Diploma:

- Cisco Networking
- Microsoft Networking
- Network Systems

##### Associate of Science:

- Business Administration
- Computer Networking & Security Technology
- Computer Science
- Criminal Justice
- Graphic Design
- Physical Therapist Assistant
- Surgical Technology

Bachelor of Science:

- Business Administration
- Computer Science
- Criminal Justice
- Graphic Design
- Health Care Management
- Nursing

Motion Motion by Commissioner ZINK and second by Commissioner SEACREST to defer the Herzing University, Milwaukee, Wisconsin request for Lincoln and Omaha Campuses to offer programs in Nebraska until a special Commission meeting to be scheduled in June.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**B. Proposals for New Instructional Programs:**

**1. Action item Metropolitan Community College – Health Information Technology (Diploma)**

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the Metropolitan Community College – Health Information Technology (Diploma) program.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**2. Action item Southeast Community College – Energy Generation Operations (AAS)**

Motion Motion by Commissioner ZINK on behalf of the Committee to approve Southeast Community College – Energy Generation Operations (AAS) program.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**3. Action item ~~Southeast Community College – Long Term Care Administration (Certificate, AAS)~~ Withdrawn at the request of the institution.**

**4. Action item Western Nebraska Community College – Wind Energy Technician (Certificate)**

Mr. Mader responded to questions from Commissioners about the grant

funding for this program.

Motion Motion by Commissioner ZINK on behalf of the Committee to approve Western Nebraska Community College – Wind Energy Technician (Certificate) program.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**5. Action item University of Nebraska-Lincoln – Music (PhD)**

Dr. John Richmond, Director, and Dr. Glenn Nierman, Associate Director, School of Music, University of Nebraska-Lincoln, provided information on how they work with music educators in Nebraska and answered questions from Commissioners.

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the University of Nebraska-Lincoln – Music (PhD) program.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**6. Action item University of Nebraska-Lincoln – Nebraska Beef Industry Scholars (Certificate)**

Dr. John Markwell, Professor and Associate Dean, College of Agricultural Sciences and Natural Resources, University of Nebraska-Lincoln, explained the reasoning behind the certificate and answered questions from Commissioners.

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the University of Nebraska-Lincoln – Nebraska Beef Industry Scholars (Certificate) program.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**7. Action item University of Nebraska Medical Center – Public Health (Graduate Certificate)**

Dr. Ayman El-Mohandes, Dean, College of Public Health, University of Nebraska Medical Center, explained that Nebraska's public health system is unique. Dr. El-Mohandes answered a variety of questions from Commissioners.

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the University of Nebraska Medical Center – Public Health (Graduate Certificate) program.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**C. Proposals for New Organizational Units:**

**1. Action item University of Nebraska Medical Center – Center for Global Health and Development**

Dr. Ayman El-Mohandes, Dean, College of Public Health, University of Nebraska Medical Center, gave a brief description of why the University of Nebraska Medical Center should be involved in global health and answered questions from Commissioners.

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the University of Nebraska Medical Center – Center for Global Health and Development.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**2. Action item University of Nebraska Medical Center – Center for Staphylococcal Research**

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the University of Nebraska Medical Center – Center for Staphylococcal Research.

Result A roll-call vote was taken, with all Commissioners present voting yes. Motion carried.

**3. Action item University of Nebraska-Lincoln – University of Nebraska-Boys Town Center on Child and Family Well Being**

Dr. John Bernthal, Professor and Chair, and Ms. Kristin Duppong Hurley, Assistant Research Professor, Department of Special Education and Communic Disorders, University of Nebraska-Lincoln, explained the funding of the center and answered questions from Commissioners.

Motion Motion by Commissioner ZINK on behalf of the Committee to approve the University of Nebraska-Lincoln – University of Nebraska-Boys Town Center on Child and Family Well Being.

Result                    A roll-call vote was taken, with all Commissioners present voting yes.  
Motion carried.

**D. Existing Program Review:**

**1. Information Items Program continuations approved by the Executive Director:**

- University of Nebraska-Lincoln: Architectural Engineering (BSAR, MAE); Civil Engineering (BSCE, MS); Construction Engineering Technology (BSCT); Electrical Engineering (BSEE, MS); Electronics Engineering (BSEL); Engineering (MENG, PhD); Engineering Interdisciplinary Studies (BS); Engineering Mechanics (MS); Environmental Engineering (MS); Industrial Engineering (BSIE); Industrial and Management Systems Engineering (MS); Manufacturing Systems Engineering (MS); Mechanical Engineering (BSME, MS); Telecommunication Engineering (MS); Construction Management (BSCM)
- University of Nebraska at Kearney: Industrial Technology (BS)
- Chadron State College: Design and Technology Education (BA, BSE)
- Wayne State College: Industrial Technology (BS)
- Central Community College: Quality Control (AAS, Certificate); Industrial Technology (AAS, Diploma, Certificate)
- Metropolitan Community College: Architectural Design Technology (AAS, Diploma); Mechanical Design Technology (AAS, Diploma, Certificate)
- Southeast Community College: Architectural Engineering Technology (AAS); Land Surveying & Civil Engineering (AAS); Nondestructive Testing Technology (AAS); Manufacturing Engineering Technology (AAS)
- Western Nebraska Community College: Business (AAS, AA, AOS, AS)

**2. Action item for existing program review**

- a. University of Nebraska-Lincoln: Chemical Engineering (BSCH, MS)
- b. Metropolitan Community College: Civil Engineering Technology (AAS, Certificate, Diploma)
- c. Western Nebraska Community College: Welding Technology (AAS, AOS, Certificate, Diploma)

Motion                    Motion by Commissioner ZINK on behalf of the Committee to approve the recommendations for action items: a. continue, with a report on program efficiency, focusing on SCH/FTE due September 30, 2011; b. continue, with a report on enrollments and number of graduates due October 15, 2012; and c. continue, with a report on student demand and number of completers due October 15, 2012.

Result                    A roll-call vote was taken, with all Commissioners present voting yes.  
Motion carried.

**E. Report on name changes, deletions, reasonable and moderate extensions, and other institutional activities relating to existing programs.**

1. Reasonable and Moderate Extensions

SCC – Home Visitor/Family Advocate (Certificate)

NECC – Drafting-Industrial Facility Design option (AAS)

2. Name Changes

UNL – Department of Geosciences to *Department of Earth and Atmospheric Sciences*

3. Administration Change

UNMC – Master of Public Health program from Joint Status (UNMC/UNO) to UNMC, and from the University of Nebraska Graduate College to the UNMC College of Public Health as a Professional Degree

UNL & UNO – Cooperative PhD program in Psychology will now be a Joint PhD program

*NOTE: Commission Chairman Simmons announced a break for lunch and then changed the order of the agenda to item XIII so that Dr. Pfeil could attend a conference call.*

*NOTE: Adjourned for lunch at 12:08 p.m. Meeting resumed at 12:29 p.m.*

**XI. PUBLIC HEARING ON BUDGET, CONSTRUCTION, AND FINANCIAL AID PROGRAMS COMMITTEE ITEMS**

No testimony.

**XIII. BUDGET, CONSTRUCTION, AND FINANCIAL AID COMMITTEE**

**A. 2011-2013 Biennial Areas of Emphasis:**

1. **Action item Approve the proposed Areas of Emphasis for use by the Commission in the review of institutional biennial operating budget requests**

Dr. Carna Pfeil explained the 2011-2013 Biennial Areas of Emphasis for institutions' operating budget requests and answered questions from Commissioners.

Motion                    Motion by Commissioner DAVIS on behalf of the Committee to approve the Areas of Emphasis for use by the Commission in the review of institutional biennial operating budget requests.

Result A roll-call vote was taken, with all Commissioners present voting yes.  
Motion carried.

**B. *Prioritization Process to Sequence Appropriations for Approved Capital Construction Projects:***

Mr. Mike Wemhoff explained the prioritization process and the 2011-2013 biennial operating budget and capital construction budget deadlines.

1. **Action item Approve the *Prioritization Process to Sequence Appropriations for Approved Capital Construction Projects* for use in developing the Commission's 2011-2013 biennial capital construction budget recommendations of institutional requests**

Motion Motion by Commissioner DAVIS on behalf of the Committee to approve the *Prioritization Process to Sequence Appropriations for Approved Capital Construction Projects* for use in developing the Commission's 2011-2013 biennial capital construction budget recommendations of institutional requests.

Result A roll-call vote was taken, with all Commissioners present voting yes.  
Motion carried.

**C. 2011-2013 Biennial Operating Budget and Capital Construction Budget Deadlines**

1. **Information item Commission staff provides institutions with key deadlines related to the biennial operating budget and capital construction budget requests**

**D. Action item Approve proposed amendment to NAC Title 281, Chapter 5, Rules and Regulations Concerning the Nebraska Opportunity Grant Act**

Ms. Katherine Green explained the rule change, that would give institutions more flexibility in providing funding to students and answered questions from Commissioners.

Mr. Morrow explained the Leveraging Educational Assistance Partnership (LEAP)/Special Leveraging Educational Assistance Partnership (SLEAP) need-based programs and answered questions from Commissioners.

Motion Motion by Commissioner DAVIS on behalf of the Committee to approve the amendment to NAC Title 281, Chapter 5, Rules and Regulations Concerning the Nebraska Opportunity Grant Act.

Result A roll-call vote was taken, with all Commissioners present voting yes.

Motion carried.

**IX. PUBLIC HEARING ON PLANNING AND CONSUMER INFORMATION COMMITTEE ITEMS**

No testimony.

**X. PLANNING AND CONSUMER INFORMATION COMMITTEE**

Dr. Barbara McCuen presented Section B of the *2009-2010 Factual Look at Higher Education in Nebraska* and answered questions from Commissioners.

**A. Information item Presentation on Section B of the 2009-2010 Factual Look at Higher Education in Nebraska**

**XIV. FUTURE MEETINGS**

There will be a special Commission meeting sometime in June.

The next regular Commission meeting will be August 5, 2010 and will be held at College of Saint Mary, Omaha, Nebraska.

**XIII. COMMISSIONER COMMENTS**

Commissioner Lauritzen handed out a fact sheet and brochure about Northeast Community College.

**XIV. ADJOURNMENT of regular Commission meeting**

There being no further business, the meeting was adjourned at 1:48 p.m.



## OUT-OF-STATE INSTITUTION PROPOSAL To Offer Programs in Nebraska

**Institution:** Herzing University, Milwaukee, Wisconsin

**Programs:**

- Bachelor of Science (BS) in:
  - Business Administration
  - Computer Science
  - Criminal Justice
  - Graphic Design
  - Health Care Management
- Associate of Science (AS) in:
  - Business Administration
  - Computer Networking & Security Technology
  - Computer Science
  - Criminal Justice
  - Graphic Design
  - Medical Assisting
  - Medical Billing and Insurance Coding
- Diploma in:
  - Cisco Networking
  - Medical Assisting
  - Medical Billing and Insurance Coding
  - Microsoft Networking
  - Network Systems

**Institution's Existing Degrees in Same or Similar Discipline:**

**All proposed programs are offered at other Herzing University locations**

**Proposed Site for Delivery:**

**Lincoln, Nebraska  
(Lincoln Campus of Herzing University)**

**Proposed Start Date:**

**2010**

### Introduction

Herzing University has operated for 45 years as a private, career-oriented campus with its home office and online programs based in Milwaukee. There are currently ten physical campuses in eight states with programs ranging from certificates to master's degrees in business, computer technology, public safety, design, nursing, and health care. Herzing University is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools, the same entity that accredits Nebraska's public, and many private, institutions of higher education.

In 2008 Herzing University purchased the Omaha School of Massage Therapy. The Commission subsequently approved Herzing to offer AS degrees in therapeutic massage,

medical assisting, and medical billing and insurance coding in Omaha as well as a BS degree in health information management. An AS degree in physical therapy assistant was also proposed but denied by the Commission due to insufficient evidence of ability to provide clinical sites. This proposal is for authorization for Herzing University to offer in Lincoln the associate programs already approved for Omaha as well as five bachelor of science degree programs, five other associate of science degree programs, and three additional diploma programs.

Note: State statute and Commission rules require out-of-state institutions to seek approval to offer courses and/or programs in Nebraska. There is no provision for establishing a new campus, other than the location and facilities portions of the application for a new program.

**REVIEW CRITERIA**

**A. Demonstrated Need and Demand for the Programs in the Area to be Served**

High-----Low				
		√		

Herzing conducted a market analysis for the Lincoln area. The proposal described the process the university uses in evaluating potential campus locations. Five criteria were identified: geographic, competitive environment, states that offer grants to students, nursing friendly states/cities, and states that have existing Herzing campuses. Each criterion was weighted 1-5 based on its importance. The highest weighting of 5 was assigned to competitive environment and the lowest to Herzing campuses in the state. The resulting number is called the Market Validity Index. Lincoln scored highest in “nursing friendly” and lowest in “nearby Herzing campus.” The index number for the city of Lincoln was 3.82 (out of 5.0).

Commission staff consulted the Nebraska Department of Labor’s Web site for estimated annual job openings in Lincoln for some of the fields represented by the proposed programs.

- The department’s highest estimates were for business positions requiring less than a baccalaureate degree (at least 118 openings).
- Bachelor’s level computer related positions were considered “hot”, especially network systems and data communication analysts (35 openings).
- The department estimated 33 openings for medical assistants, 24 for medical secretaries, and 18 for medical records.
- Graphic design was labeled “hot” but there were no estimates provided for number of openings.
- The only “hot” prospects within criminal justice were police patrol officers, sheriffs, and security guards, none of which require college courses.

Commission staff compiled a table showing Herzing’s proposed programs and the institutions in Lincoln that offer similar programs. The table is in Appendix 1. Except for two specialized diplomas, all proposed programs are offered by at least one other institution located in Lincoln.

**B. Quality of Programs of Instruction to be Offered in the State**

High-----Low				
	√			

All of the proposed programs are offered on other Herzing campuses with the same curricula (Appendix 2 details the requirements for each degree and diploma program). All programs are offered on at least four of Herzing’s ten campuses.

Each bachelor of science degree requires a minimum of 120 semester credit hours including 37 hours of general education courses. The general education courses are appropriate for a BS

degree and include information literacy; English composition or literature; speech; computer applications; mathematics; natural science with a lab component; social or behavioral science; cultural diversity; and humanities with a critical thinking focus.

Associate degrees require a minimum of 60 semester credit hours including 21 hours of general education courses. Diploma programs range from 16 credit hours for CISCO networking to 48 hours for medical assisting.

The programs all appear to be comparable to those offered by the public and private institutions in Lincoln. There are variations within some aspects of the curricula, but the cores of the programs and the requirements seem similar for all. The listing in Appendix 1 also includes accreditation of existing programs in Lincoln.

Several of the programs require an internship or externship. Internships in areas such as business are often relatively easy to obtain due to the number of companies located in urban areas. Generally, health-related placements are more difficult to secure.

None of the proposed programs require programmatic accreditation for graduates to seek employment in Nebraska. There are accrediting bodies that offer optional accreditation for some programs. See Section H. for more information on accreditation and Herzing’s stated intentions for seeking accreditation.

**C. Quality of Teaching Faculty**

High-----Low
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Herzing intends to hire faculty for the proposed Lincoln programs after receiving Commission approval for their application. Faculty would be hired according to university policy, a copy of which was provided.

Generally, faculty must have at least:

- a master’s degree and expert knowledge in the teaching discipline (for core courses in programs which have a bachelor’s degree in the discipline at Herzing)
- a master’s degree in the teaching discipline, or in a related discipline with 18 credit hours in the teaching discipline (for general education courses)
- a bachelor’s degree and expert knowledge in the teaching discipline (for core courses in programs which do not have a bachelor’s degree in the discipline at Herzing).

Faculty teaching online courses are part of Herzing University’s Online Campus, based in Milwaukee. Herzing reports that all distance learning faculty are provided training on distance learning methodologies and pedagogical support in developing course materials. They are also monitored in the quality of delivery of their online courses by their department chair. The chair logs onto each course section weekly and provides feedback on the quality of student interaction to both the faculty member and the dean.

**D. Quality of Library and Support Services**

High-----Low
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The campus would have a relatively small on-site library with a professional librarian on staff. Herzing states that the resources would include core book and journal collections in each of the disciplines

offered on the campus as well as videos/DVDs and tapes.

In addition to the local library, students would be able to check out books from any Herzing University library through interlibrary loan. There is also online material available through two

library consortia, NebraskAccess and the Library and Information Resources Network (LIRN). LIRN contains thousands of titles, many available in full-text form. Computers would be available in the library, computer classrooms, and computer commons, with wireless Internet access available throughout the campus building.

The staff would include a registrar, financial aid personnel, and career services support. At the career services center students would receive assistance in resume writing, honing interview skills, and identifying employment opportunities.

**E. Legal Form and Ownership**

Herzing Incorporated is a for-profit organization incorporated in the state of Wisconsin. The proposal included copies of incorporation documents, a list of the company’s principals, board of directors, and senior administrators, and biographic information for each. Herzing, Inc. has filed with the Nebraska Secretary of State to operate in Nebraska.

**F. Financial Soundness & Ability to Fulfill Commitments to Students**

High-----Low					
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Herzing University provided audited financial statements for the year ending December 31, 2008. The financials were reviewed by Commission finance staff. Staff noted that Herzing is a Chapter S Corporation with three owners or shareholders.

Technically, Chapter S Corporations are required to distribute profits to the shareholders because Chapter S Corporations do not pay taxes. Taxes on income or profits are the responsibility of the shareholders so Chapter S profits are distributed to the shareholders. In some instances, such as when Chapter S Corporations purchase other corporations or if the Chapter S Corporation is also doing business in another country, the corporation may retain some earnings, but is limited to the amount of retained earnings that can be added to the base. As an S Corporation, Herzing is maintaining as much retained earnings as legally allowed. The remainder is distributed to shareholders. At the time of the audited financial statements, Herzing was in a good financial condition and had sufficient funds to operate in a fiscally responsible manner.

The proposal included a three year annualized budget for the Lincoln Campus (for 2010, 2011, and 2012). The budget shows the campus producing a profit in the third year.

The tuition rates per semester would be \$460 for the first 11 credit hours each semester and \$445 for any hours beyond 11. This would make the total cost of tuition approximately \$6,840 per semester if attending full-time. If a student attended part-time only, the cost for a baccalaureate degree would range from \$57,040 to \$63,480; from \$27,600 to \$36,340 for an associate degree; and \$7,360 to \$22,080 for a diploma, depending on the required number of hours.

Selected comparison tuition and fees (roughly estimated):

Program	Herzing	SCC	UNL	Methodist	Wesleyan	Kaplan	Bryan
Business – Bachelor	\$56,560*		\$29,130		\$90,050	\$56,224*	
Business - Associate	\$29,200*	\$8,185*					

\*includes books

Herzing had previously provided a copy of the college catalog, including college withdrawal policy, college refund procedures, and the federal return policy for Title IV funds (financial aid). Commission staff determined that the default rates for federal student loans at Herzing campuses range from moderately low to low.

### **G. Program Location**

Herzing University is investigating possible sites for the Lincoln campus. They report that sites under consideration include former retail or light industrial facilities with ample parking. The facility must also have good visibility to the public and the potential to be economically converted for educational purposes. Since Herzing does not propose to provide student housing, the location must also be reasonably close to apartment complexes.

Typical facilities under consideration average between 20,000 and 40,000 square feet and are housed in a single building. The plan for the building includes five lecture classrooms, five computer classrooms, two seminar rooms, one tiered lecture classroom, administrative and faculty offices, and four laboratories. The labs would house medical/science, nursing, surgical technology, and physical therapist assistant. The sample building layout provided (which is the actual layout for the proposed Omaha facility) also shows a library, bookstore, computer commons, and break room (see Appendix 3).

### **H. Accreditation**

Herzing University is accredited by the Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools and has been fully accredited since 2004. If approval for the Lincoln programs is received, Herzing will apply to the HLC to include the new location under the university's accreditation. (Action by the state is required before an institution can apply to the HLC.) Some of the proposed programs can seek programmatic accreditation by an entity recognized by the U.S. Department of Education.

- Medical assisting: The Commission on Accreditation of Allied Health Education Programs (CAAHEP) and the Accrediting Bureau of Health Education Schools (ABHES) accredit medical assisting programs, although it is not required in Nebraska. The medical assisting degree programs at three other Herzing campuses are accredited by ABHES. Two diploma programs are accredited by CAAHEP. At the public hearing for the medical assisting program in Omaha, a Herzing representative confirmed that they will seek accreditation for the Omaha program. The proposal did not address accreditation for the Lincoln program.
- Medical billing and insurance coding: The Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM) is a national accrediting body for degree-granting programs. The bachelor's program in health informatics at Herzing University's Online Campus is accredited by CAHIIM. At the public hearing for the program in Omaha, a Herzing representative confirmed that they will seek CAHIIM accreditation for the Omaha program. The proposal did not address accreditation for the Lincoln program, which is not required in the state.
- Business: Accreditation is not required. The Association of Collegiate Business Schools and Programs and the Association to Advance Collegiate Schools of Business both accredit business programs. It does not appear that any of Herzing University's business programs are accredited.

Herzing University operates in seven other states. Commission staff contacted all seven and verified that Herzing is in good standing in each.

### **I. Transferability of Credits**

Since Herzing University is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools, students should be able to transfer credits in the same manner as they transfer credits earned at any other regionally accredited institution.

### **Public Hearing**

A public hearing was held on April 19, 2010, at the State Capitol in Lincoln. The Commission was represented by Marshall Hill, Kathleen Fimple, Katherine Green, and Miste Adamson-DaMoude. Commissioners Colleen Adam and Clark Anderson were in attendance with Commissioner Adam serving as the hearing officer.

Dr. Bill Getter, Vice President of Academic Affairs for the Herzing University system, spoke in support of the application. He stated that Herzing University was experienced and had the financial resources to provide the programs proposed in the application.

In response to specific questions from the Commissioners and Commission staff, Dr. Getter provided the following additional information.

- Herzing does have a line of credit, but they rarely use it.
- In expanding, the university looks for moderate-size cities and a friendly state regulatory environment.
- Pharmacy technician is a popular program but primarily at Herzing's Canadian institutions where the field is more highly regulated. It is not likely that they would offer a pharm tech program in the United States in the near future.
- When students have lower cost options in a city, the advantages to attending Herzing are quality and customer service. Herzing is small, experienced, and very customer oriented. Class sizes don't exceed 24, there are frequent starts, courses are offered consistently year round and throughout the day and evening. There are many adult students (about 15% enroll directly out of high school).
- The primary marketing strategy is utilizing the Internet, although Herzing works with high schools and uses other forms of advertising.
- Tuition and fees compare well with Kaplan; University of Phoenix isn't a competitor in most markets; state-supported institutions always have much lower cost of attendance. Herzing does not anticipate problems with attracting students. They consider 300 students a modest campus and 600 students a robust campus.
- Some of the prospective sites in Lincoln have not materialized. Herzing will not open a location in Lincoln until they have a good location. If necessary, they will build.
- Funding is not predicated on students receiving state support.
- The percentage of Pell eligible students varies with location. The average is about 50% with some as high as 75%.
- In addition to federal and state support for students, Herzing provides its own scholarships and institutional loans.
- Student loan default rates for Omaha are about 4% according to Steve Carper, President of Omaha School of Massage and Healthcare of Herzing University, who was present at the hearing. Across the university, the rate is about 8%. Herzing is not an open

enrollment institution. They conduct admissions testing which eliminates students who are not adequately prepared and therefore, if admitted, more likely to default.

There was no testimony in opposition.

**A second hearing is scheduled for June 10, 2010 at 9 a.m. Documents received in response to the notice of public hearing that will be entered into the record at the hearing are in Appendix 4.**

**Committee Comment:**

The Academic Programs Committee normally makes recommendations to the full Commission on academic issues. The Committee has reviewed Herzing's application to offer academic programs in Nebraska, related informational material, and the correspondence submitted to the Commission regarding that application. Informational material and correspondence are included as appendices to this document.

Herzing's application has elicited considerable comment and debate, and an additional public hearing is scheduled for June 10, immediately prior to the Commission meeting. All correspondence received by the Commission will be formally introduced into the record. The Committee feels that it would be inappropriate to make a recommendation without benefit of any additional information that might come from the hearing. Therefore, the Committee makes no formal recommendation at this time, but does provide the following comments regarding Herzing's application:

- As specified in Nebraska Statutes, the role of the Commission is to consider the stability, financial soundness, responsibility, need and demand, and accreditation and other indicators of quality of the applying institution to determine if the institution should be allowed to offer programs in Nebraska.
- The focus of the Commission should be on determining whether statutory requirements are met and on assuring that a range of quality educational opportunities are available to the citizens of Nebraska. Local concerns about certain aspects of an institution's proposed plans (i.e., the availability of sufficient and appropriate clinical placements), which may or may not prove to present insurmountable obstacles, should not be allowed to foreclose the possibility of expanding those opportunities.
- If the Commission does approve the programs Herzing University has asked to offer in Lincoln, Nebraska, the Commission should stipulate that classes shall not be offered until the following conditions have been met:
  1. an adequate facility is obtained and a Commission staff member has visited the site;
  2. a director of the Lincoln campus and faculty for that campus are hired and vitae or information on their qualifications are provided to the Commission; and
  3. required regional approval is received and documentation supplied to the Commission.

Reporting requirements: Out-of-state institutions report annually to the Commission in response to a questionnaire sent each fall.

**The Following Information Relates to Programs Withdrawn by the Institution  
It Was Removed from the Previous Staff and Committee Documents**

**Programs: Lincoln Campus**

Bachelor of Science in:

- Nursing

Associate of Science in:

- Physical Therapist Assistant
- Surgical Technology

**A. Demonstrated Need and Demand for the Programs in the Area to be Served**

On a programmatic level, Herzing used [www.simplyhired.com](http://www.simplyhired.com) and [ihiretherapy.com](http://ihiretherapy.com) to support the need for additional physical therapist assistant (PTA) graduates in the area. The search, conducted on March 9, 2010, revealed 13 advertised openings in Lincoln, several in the Omaha area, two in Grand Island, and others in Seward, Columbus, Sidney, and Scottsbluff.

Herzing also cited the Nebraska Department of Labor's projections for employment trends for PTAs from 2006 to 2016. Those figures indicate a state-wide increase of 49% (from 423 to 630) and an entry level wage of \$16.18 per hour (\$22.48 for experienced personnel). The proposal supplemented this data with information from the *Bureau of Labor Statistics – Employment Outlook Handbook*. The *Handbook* projected a national increase of 35% from 2008 through 2018. Among factors cited that will result in an increased demand were: changes to restrictions on reimbursement for physical therapy services by third-party providers resulting in increased patient access; an increase in the number of elderly; and advanced medical technology that permits an increased number of trauma victims and newborns with birth defects to survive.

Commission staff consulted the Nebraska Department of Labor's Web site for estimated annual job openings in Lincoln for some of the fields represented by the proposed programs.

- The department's highest estimates were for registered nurses (142 openings)
- There were also no estimates for surgical technologists or physical therapist assistants, both deemed "fair," although both were considered "hot" on the state level.

**B. Quality of Programs of Instruction to be Offered in the State**

The physical therapist assistant program is offered on the Orlando campus only. The Bachelor of Science in Nursing program would be offered entirely on campus. For all other programs about half of the courses would be offered on campus and the other

half online. Herzing reports that this maximizes the classroom space and provides more flexible scheduling for students.

Herzing states that the specialized approvals for nursing, physical therapist assistant, and surgical technology require the institution to prove that sufficient clinical sites have been secured to support the program before students can be admitted. The requirements for accreditation by the Commission on Accreditation in Physical Therapy Education (CAPTE) are summarized in Appendix 4 by Commission staff. The requirements for approval by the Nebraska Board of Nursing are summarized in Appendix 5. In each appendix references to clinical placement requirements are in red and items comparable to Commission review criteria are in blue. Underlined are the references to state level approval for the institution to operate or offer programs. Both entities require this authorization relatively early in the application process and prior to providing evidence of clinical placements.

Herzing contacted potential placement locations and received tentative clinical commitments from several. Herzing did not differentiate between Lincoln and Omaha programs since the placements are not only in those cities but in surrounding areas. The availability of clinical placements has become an issue of concern, accusations, and disagreements.

Some professions must meet state of Nebraska requirements for licensure. These include:

- Physical Therapist Assistant: The National Licensing Examination for Physical Therapist Assistants is required for certification as a physical therapist assistant in Nebraska. Nebraska statutes also require students to have graduated from a program accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association. (See Section H. for accreditation information.)
- Nursing: Only graduates of nursing programs approved by the Nebraska Department of Health and Human Services (Nebraska Board of Nursing) are eligible for licensure in Nebraska. Applicants for licensure must also pass either the National Council Licensure Examination for Practical Nurses or the National Council Licensure Examination for Registered Nurses.
- Other allied health: There are no state requirements for the other allied health professions that the proposed programs would serve.

## **F. Financial Soundness & Ability to Fulfill Commitments to Students**

The tuition rates per semester would be \$700 per credit hour for the nursing and PTA programs. This would make the total cost of tuition for the PTA program \$51,100 and \$84,000 for nursing.

Selected comparison tuition and fees (roughly estimated):

Program	Herzing	SCC	UNL	Methodist	Wesleyan	Kaplan	Bryan
Nursing - BSN	\$84,000*			\$64,300*			\$46,390
Surgical tech (Assoc)	\$29,200*	\$7,000*		\$32,500*			

\*includes books

## H. Accreditation

Some of the proposed programs can or must seek programmatic accreditation by an entity recognized by the U.S. Department of Education.

- Physical therapist assistant: In Nebraska students must have graduated from a program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE). CAPTE has granted Initial Accreditation status to Herzing University for its physical therapist assistant program on its campus in Florida. Herzing states that they will seek CAPTE accreditation for the Lincoln program and will not matriculate students until candidacy status is achieved.
- Surgical technology: Programs in Nebraska do not have to be accredited although accreditation is available from the Commission on Accreditation of Allied Health Education Programs (CAAHEP) and the Accrediting Bureau of Health Education Schools (ABHES). Herzing has stated their intention to apply to ABHES for program accreditation.
- Nursing: The nursing program must be approved by the Nebraska Nursing Board (Department of Health and Human Services) before Herzing can matriculate students. The proposal states that intention. Nursing programs can also be accredited by the National League of Nursing or the Commission on Collegiate Nursing Education, but it is not required in Nebraska.

## Public Hearing

A public hearing was held on April 19, 2010, at the State Capitol in Lincoln.

The programs that are clinically intense require accreditation or approval before students can be matriculated. Dr. Mary Urbanski, Director of Nursing and Health Programs for the Herzing University system, who was also present, had arranged clinicals in the region for Herzing students without harming the existing programs at other institutions.

In response to specific questions from the Commissioners and Commission staff, Dr. Getter provided the following additional information.

- The physical therapist assistant programs would be modest in size. The accrediting body (CAPTE) requires the institution to secure 150% of the needed placements for clinicals. Herzing now has verbal and written agreements sufficient to meet program needs.
- Instructors for nursing programs are difficult to find, but Herzing has been able to find nurses with master's degrees to teach at all of their program sites. The

director of the nursing program must have a Ph.D. Dr. Urbanski already has one qualified applicant. Herzing does not plan to offer an accelerated nursing program.

- The programs with clinicals would have two starts per year with about 24 students. These are considered “anchor programs” which give credibility to a campus and institution.
- The programs’ start dates are dependent upon the accreditation/approval process. It takes about a year to complete an application through the Nebraska Board of Nursing. The earliest the PTA program might start is winter 2011, with summer 2012 more likely.

Dr. Urbanski offered a comment in a neutral capacity. She stated that the health care and education environment as we know it is changing. What has been for years considered reasonable and customary is no longer the case in many instances. As an example, some of the private physical therapy clinics in Omaha have always held their clinical slots open only for physical therapy students. They recently began taking PTA students as well.

### Herzing University Proposed Programs for the Lincoln Area

Lincoln Area Institutions offering similar programs	BS Nursing	AS Physical Therapist Asst	AS Surgical Technology
Bellevue University			
BryanLGH College of Health	<b>XX</b>		
College of St. Mary	<b>XX</b>		
Doane College			
Kaplan University - Lincoln			
Nebraska Institute of Tech.			
Nebraska Wesleyan University	<b>XX</b>		
Southeast Community College		<b>XX</b>	<b>XX</b>
Union College	<b>XX</b>		
University of Nebraska-Lincoln			

*Programs in bold (XX) hold accreditation from one of the programmatic accreditors listed in Section H.*

## Degree and Diploma Programs Proposed by Herzing University

### Bachelor of Science degrees:

Major (w/ minors and concentrations)	Total credit hours	General education hours	Hours in the major	Hours in minor/concentration	Elective Hours	Other requirements
Nursing	120	34	70*	14 nursg support		2 hrs personal development

\*Includes internship/externship (health care management) or clinicals and preceptorship (nursing)

### Associate of Science degrees:

Major	Total credit hours	General education hours	Hours in the major	Elective Hours	Other requirements
Physical Therapist Assistant	73	21	50*		2 hrs personal development
Surgical Technology	65	24	39*		2 hrs personal development

\*Includes internship/externship or clinical practicum (physical therapist assistant and surgical technology)

## Steps in the Candidacy Process for a Physical Therapist Assistant Program

(abridged from the Commission on Accreditation in Physical Therapy Education (CAPTE) Rules of Practice and Procedure Accreditation Handbook)

**NOTE:** Items in *Harlow Solid Italic font* correspond to CCPE review criteria. Items in Arial Black bold font refer to clinical placements.

1. Notification of new program development
  - The institution notifies the American Physical Therapy Association (APTA) that a full-time program administrator/director has been employed to develop the program (and a curriculum vitae is provided).
  - APTA reviews the vitae and provides the institution with the materials necessary for submission of the *Application for Candidacy*.
  
2. The program director and at least one higher administrator from the institution attend a mandatory workshop to learn about the candidacy process.
  
3. Submission of the *Application for Candidacy* (a report through which the institution provides information about their plans for development and implementation of the proposed program, such that it will meet the Evaluative Criteria for accreditation) accompanied by a non-refundable fee of \$12,000.  
*Applications must include the following (for a more complete list, see pages 3-7):*
  - A preface that describes the process and information used by the institution to determine the *need* for the program.
  - Evidence that the institution is an institution of higher education with degree granting authority.
  - Evidence of appropriate state approval to offer the program.
  - Evidence that the institution holds *accreditation* from an institutional accrediting agency recognized by the US Department of Education or the Council for Higher Education Accreditation.
  - Evidence that the institutional accrediting agency has approved the offering of the physical therapy education program.
  - Evidence that the institution has employed at least two full-time core *faculty* members, including the program director, one of whom must be a physical therapist.
  - Clear evidence, as reflected in a current curriculum vitae, that the program administrator/director possesses at least the following minimum qualifications: is a licensed physical therapist or a licensed, certified, or registered physical therapist assistant with an earned master's degree and five years of experience as a PT or PTA that includes clinical practice, didactic and/or clinical teaching, and experience in administration.
  - Evidence that the *curriculum* includes integrated and full-time terminal clinical experiences.

- Documentation of contractual access to sufficient clinical placements to meet the needs of the first full-time clinical experience and any experiences that may precede it. At a minimum, it is expected that there are sufficient clinical placements for at least 125% of the expected number of students to be enrolled during the first year.
4. APTA determines that the application is bona fide and is complete and the *Application for Candidacy* is reviewed and evaluated by a Candidacy Reviewer.
  5. The Candidacy Reviewer conducts a two-day visit to the program and submits a report of the visit. Once the timing of the visit is determined, the public is given opportunity to provide written testimony regarding the program.
  6. All relevant information is reviewed and the accreditation decision is made at the next regularly scheduled meeting of CAPTE following the on-site visit. (Candidate for Accreditation decisions are made four times per year.)
  7. Upon CAPTE's determination to grant a program Candidate for Accreditation status, students may be enrolled/matriculated into the program's first professional/technical courses.

**Steps in the Accreditation Process for a Physical Therapist Assistant Program  
(abridged from the CAPTE Rules of Practice and Procedure  
Accreditation Handbook)**

1. The institution achieves Candidate for Accreditation status.
2. The institution submits a self-study report compiled by the faculty following official instructions provided by APTA. (The self-study report is one of the major sources of substantiating information about an educational program in relation to the Evaluative Criteria for Accreditation.)
3. A three-day on-site visit is conducted by APTA early in the last term in which the charter class is enrolled.
4. CAPTE makes an accreditation status decision based on information from the self-study report materials, the visit report, information obtained during the course of the on-site visit, the response of the institution to the visit report, additional materials provided by the program, and eligible written third-party comments.

**Expectations for Candidacy Decisions**  
**(82 items that must be in place prior to achieving candidacy)**

CAPTE makes Candidate for Accreditation decisions based on its determination that the program is making satisfactory progress toward compliance with the *Evaluative Criteria* as described in the following list of the **minimum** level of development expected.

CAPTE expects that the *Application for Candidacy* will include the following:

1. A preface that includes
  - a) a description of the process and information used by the institution to determine the need for the program;
  - b) a written statement of the plans for the number of students per class; and
  - c) a contingency plan for students if the physical therapist assistant program should fail to achieve candidate status or accreditation status.
2. Evidence that the institution
  - a) is authorized to provide post-secondary education;
  - b) is degree granting; and
  - c) has authority to offer the physical therapist assistant education program.
3. Evidence that the institution
  - a) is accredited by an agency recognized by USDE or CHEA; and
  - b) has approval from the institutional accreditor to offer the PTA program.
4. Identification of the degree to be awarded at completion of the program.
5. Documentation of institutional statements related to non-discrimination and equal opportunity.
6. Evidence of institutional policies related to academic standards and to faculty roles and workload that are/will be applied to the program in a manner that support both the academic and technical aspects of the physical therapist assistant education program.
7. Written policies and procedures related to the privacy and confidentiality of individuals associated with the program.
8. Written policies and procedures related to informed consent for individuals associated with the program.
9. Written policies and procedures related to the due process for individuals associated with the program.
10. Written policies and procedures related to complaints about the program that fall outside the realm of due process procedures.
11. Written policies and procedures related to the safety of individuals associated with the program when they are engaged in on-campus educational experiences.
12. Written policies and procedures related to the safety of individuals associated with the program when they are engaged in off-campus educational experiences.
13. Written policies and procedures related to student competence prior to clinical assignment.
14. Sample formats for assessing student competence that include identification of critical safety elements.
15. Evidence that the written agreements between the institution and the clinical facilities participating in clinical education assure the rights and safety of persons involved in this aspect of the education program.

16. Documentation of a plan to ensure assignment of students only to clinical facilities when properly executed and unexpired agreements are in place.
17. Documentation of a plan for on-going review of written agreements.
18. Documentation of mechanisms planned for program faculty to be involved in governance and in short and long-term planning for the program.
19. Documentation of policies and procedures to assure that accreditation responsibilities will be fulfilled.
20. A written program mission and philosophy that are consistent with those of the institution.
21. A written statement of program goals and objectives.
22. Evidence that program policies and procedures related to the rights, privileges and safety of individuals associated with the program are consistent with institutional policies.
23. Documentation of the plan to coordinate the efforts of, and communicate with, other departments and individuals directly involved with the program.
24. Documentation of the rights and privileges of the PTA faculty.
25. Description of how the PTA faculty's rights and privileges are/will be commensurate with those of other faculty in the institution.
26. Documentation of the planned rights and privileges of clinical education faculty.
27. Documentation of the plans for informing clinical education faculty of their rights and privileges.
28. A written plan for instituting a development program for academic faculty that is derived from faculty evaluation results and that meets both programmatic and individual needs.
29. A written plan for instituting a faculty development program for clinical faculty that is derived from faculty evaluation results and that meets both programmatic and individual needs.
30. Evidence of established policies and procedures specific to the physical therapist assistant education program related to student recruitment and admission.
31. A written plan for provision of relevant information about the program to prospective and enrolled students.
32. Copies of information provided to prospective/enrolled students.
33. Evidence of policies and procedures specific to the physical therapist assistant education program related to student retention.
34. Plans for dissemination of student retention policies and procedures to students.
35. A description of the types of students the program expects to admit and graduate.
36. Evidence that the institution employs at least two qualified full-time core faculty, at least one of whom is a physical therapist, including the program director.
37. A written plan to hire additional program faculty as needed and reflective of the variety of faculty responsibilities delineated in the criteria and in keeping with institutional expectations for faculty teaching/workloads.
38. Evidence that the employed faculty are qualified by education and experience to fulfill assigned responsibilities.

39. Clear evidence, as reflected in a current curriculum vitae and the relevant narrative, that the program director possesses at least the following minimum qualifications:
- a) is a licensed physical therapist or a licensed, certified or registered physical therapist assistant;
  - b) holds an earned master's degree; and
  - c) has five years of experience as a PT or PTA that includes clinical practice, didactic and/or clinical teaching, and experience in administration.
40. A description of the program director's knowledge and skill in the other areas of expected qualifications:
- a) educational theory and methodology (curricular design, development, implementation and evaluation);
  - b) instructional design and methodology;
  - c) student evaluation; and
  - d) outcomes assessment.
- If not currently met, a written plan for development of the expected knowledge and skill.
41. If the ACCE is among the employed core faculty, a statement describing who is acting in that capacity.
42. If the ACCE is not among the employed core faculty, identification of who will be responsible for the development of the clinical education program until the ACCE is hired and a plan for hiring the ACCE including a timeline, job description, and the expected qualifications of the individual.
43. Documentation of the projected composition and qualifications of the entire core faculty necessary for full implementation of the program, reflective of the variety of faculty responsibilities delineated in the criteria, and in keeping with the institution's expectations for faculty qualifications.
44. Documentation of a plan to determine that the clinical education faculty have clinical expertise and are effective clinical teachers.
45. Evidence of the qualifications of the clinical education faculty identified to date.
46. Evidence of financial aid services that will be available to enrolled students.
47. Evidence of counseling and testing services that will be available to enrolled students.
48. Documentation of the plan to provide students with formative and summative reports of their performance.
49. A projected budget, covering the full implementation of the program that reflects adequate financial resources to meet the increasing demands on the program as additional faculty, staff, and students are involved in the program.
50. Evidence of adequate administrative and technical support staff to meet the needs of the program during its implementation.
51. Evidence of sufficient learning resources for student use during the first half of the technical phase of the program.
52. A written plan, with timelines, for acquiring additional learning resources needed by students as they progress through the program.
53. Evidence of sufficient instructional technology for use during the first half of the technical phase of the program.

54. A written plan with timelines for acquiring additional instructional technology as needed for the second half of the technical phase of the program.
55. Documentation of identified classroom space, dedicated laboratory space, storage space, dressing/locker rooms, etc. that are sufficient to meet the needs of the fully implemented program.
56. Documentation of the plan for occupancy of the space upon matriculation of students into the program.
57. Documentation of identified faculty and staff offices, etc. that are sufficient to meet the needs of the fully implemented program.
58. Documentation of the plan for occupancy of the space upon employment of the faculty and staff.
59. Documentation of contractual access to sufficient clinical placements to meet the needs of the first full-time clinical experience and any experiences that may precede it. At a minimum, it is expected that there are clinical placements for at least 125% of the expected number of students to be enrolled during the first year (e.g., if there will be a total of 40 students enrolled during the first year, the program is expected to have signed contracts with enough facilities to provide at least 50 full-time experiences, with sufficient variety to meet the objectives of the clinical education experiences in the first year of the technical program).
60. A written plan for obtaining sufficient additional clinical education sites/placements with the appropriate variety to meet student and program needs.
61. Evidence that the equipment and supplies needed for the first half of the technical program have been acquired or are on order. If the equipment and supplies are on order, evidence that they are scheduled to be delivered and installed prior to matriculation of students into the program.
62. A written plan, including timelines, for acquisition of equipment and supplies needed throughout the remainder of the program's implementation.
63. Documentation of the core faculty's responsibility for development of the curriculum plan and use of input from appropriate communities of interest in that process.
64. A comprehensive curriculum plan, documented in enough detail so that the extent to which the curriculum will lead to the desired outcomes can be identified.
65. A description of how the program faculty intend the curriculum to prepare students to work under the direction and supervision of physical therapists.
66. Documentation of the planned course of study, including general education, pre-requisites, and technical courses, that does not exceed 5 semesters (or the equivalent) in length.
67. Documentation of the content and organization of clinical education experiences as they relate to student achievement of competencies throughout the curriculum.
68. Statements of the program's expected student outcomes.
69. For the first 50% of the program's technical courses: complete syllabi that include: course title, description, specific objectives, specific content outline, instructional methods, textbooks and other learning resources, mechanisms for evaluation of student performance, instructor, and credit and clock hours.

70. For the remaining courses: syllabi that include: course title, description, general course objectives, basic content outline, and credit and clock hours. Other information as listed in the previous clause should be included if known. If the program is planned to have a “1+1” format, these syllabi should be as complete as is required for the first half of the program.
71. Course objectives in all syllabi written in the form of specific statements of what students will be able to do or demonstrate upon successful completion of each course.
72. Description of the types of instructional methodology planned for the curriculum.
73. Description of the methods to be used to measure student performance.
74. Documented mechanisms designed to ensure that each student will have practiced data collection and intervention methods under supervision in the classroom/laboratory prior to performing these methods in the clinic.
75. Documented mechanisms for identification of the levels of student competence, safety, and proficiency by the academic faculty and for communication of that information to the clinical education faculty as the student progresses through the curriculum.
76. Documentation of the required general education and/or prerequisite courses.
77. Description of how the required general education and prerequisite courses are expected to prepare the student to think independently, to clarify values, to understand fundamental theory, and to develop critical thinking and communication skills.
78. Documentation that specific content (listed elsewhere) will be included in the curriculum.
79. Documentation of the plan to provide clinical education experiences that are coordinated with content in the didactic curriculum.
80. Evidence that the curriculum includes integrated and full-time terminal clinical education experiences.
81. Documentation of criteria by which clinical education sites have been/will be chosen to meet current and future program needs.
82. A written plan (including planned sources of information, timelines, and methods for collection of information, and process for decision-making) for assessment of all aspects of the program, including
  - a) institutional policies and procedures;
  - b) program policies and procedures;
  - c) resources;
  - d) program mission, philosophy, goals and objectives;
  - e) curriculum;
  - f) clinical education program;
  - g) performance of recent graduates;
  - h) admissions process, criteria, and prerequisites;
  - i) program enrollment;
  - j) core faculty;
  - k) adjunct, supporting and clinical education faculty; and
  - l) clinical education faculty.

## Requirements for an Application to Conduct a Program in Registered or Practical Nursing

(abridged from Nebraska Health and Human Services Regulation and Licensure Rule 97)

**NOTE:** Items in *Harlow Solid Italic font* correspond to CCPE review criteria. Items in Arial Black bold font refer to clinical placements.

1. The institution employs a director at least 12 months prior to the anticipated opening of the program.
2. At least one qualified faculty member for each course is employed at least six months prior to the beginning of the course.
3. At least one year prior to the anticipated opening of the program, the institution submits a form that includes:
  - A description of the *need* for the program;
  - A description of the readiness that has been identified of the community to support the program;
  - A description of the *financial resources*;
  - A description of the *educational philosophy* of the institution;
  - A description of the *accreditation* status of the institution;
  - Identification of the source of authority for the institution to offer the program;
  - A description of the availability of *qualified faculty*;
  - A description of the availability of *qualified applicants*;
  - A description of the educational *facilities*;
  - A description of the provision for clinical resources;
  - A description of the general education and nursing content of the *curriculum*; and
  - A description of the tentative time table for planning and initiating the program.
4. The Board of Nursing verifies the data on the application and evaluates the feasibility of initiating the program.
5. At least six months prior to the anticipated opening of the program, the institution submits a form that includes:
  - A tentative time plan;
  - Philosophy and objectives of the program;
  - Provision of qualified faculty;
  - Organizational chart;
  - Course outlines and syllabi for the first year;
  - Listing of the clinical resources that will be used, copies of agreements with the cooperating agencies, and a Clinical Facility Statistical Report;
  - A recruitment plan and admissions requirements; and
  - Position descriptions for faculty.
6. The Board of Nursing makes a decision regarding initial approval.
7. Programs submit an annual report and are reevaluated every four years with a site visit.

### Herzing University Proposed Programs for the Lincoln Area

Lincoln Area Institutions offering similar programs	BS Business Admin	BS Computer Science	BS Criminal Justice	BS Graphic Design	BS Health Care Mgmt	AS Business Admin	AS Computer Networking	AS Computer Science	AS Criminal Justice	AS Graphic Design	AS Medical Assisting	AS Medical Billing & Ins. Coding	Cisco Networking Diploma	Microsoft Networking Diploma	Network Systems Diploma	Medical Assisting Diploma	Medical Bill & Ins. Coding Diploma
Bellevue University	X	X	X	X	X												
College of St. Mary	X																
Doane College			X	X													
Kaplan University - Lincoln	X		X			X	X		X		<b>XX</b>						
Nebraska Institute of Tech.								X							X		
Nebraska Wesleyan University	<b>XX</b>	X															
Southeast Community College						<b>XX</b>	X		X			X			X	<b>XX</b>	X
Union College	X	X		X		X				X							
University of Nebraska-Lincoln	<b>XX</b>	X	X														

Programs in bold ( **XX** ) hold accreditation from one of the programmatic accreditors listed in Section H.

## APPENDIX 2

### Degree and Diploma Programs Proposed by Herzing University

Bachelor of Science degrees:

Major (w/ minors and concentrations)	Total credit hours	General education hours	Hours in the major	Hours in minor/concentration	Elective Hours	Other requirements
Business Administration	124	37	44	no minor	37	4 hrs senior project or internship 2 hrs personal development
w/ a minor in:				22	15	
- accounting						
-business management				25	12	
Computer Science w/ a concentration in:						
-software engineering	138	37	19	36	12 in CS + 28	4 hrs senior project or internship 2 hrs personal development
- computer networking & security technology	134	37	19	36	12 in CS + 24	4 hrs senior project or internship 2 hrs personal development
Criminal Justice						
Criminal Justice	125	37	54	no minor	28	4 hrs senior project or internship 2 hrs personal development
w/ a concentration in:				13	15	
-homeland security						
Graphic Design						
Graphic Design	124	37	66	no minor	15	4 hrs senior project or internship 2 hrs personal development
Health Care Management						
Health Care Management	129	37	33 Bus	9 HC Mgt		minimum of 45 hrs from a related associate degree*

\*Includes internship/externship (health care management)

## APPENDIX 2

Associate of Science degrees:

Major	Total credit hours	General education hours	Hours in the major	Elective Hours	Other requirements
Business Administration	71	21	41	7*	2 hrs personal development
Computer Networking and Security Technology	79	21	28	28*	2 hrs personal development
Computer Science	78	21	32	23*	2 hrs personal development
Criminal Justice	60	21	31	6*	2 hrs personal development
Graphic Design	67	21	36	8*	2 hrs personal development
# Medical Assisting	65	21	42*		2 hrs personal development
# Medical Billing and Insurance Coding	65	21	39*	3	2 hrs personal development

# Approved for the Omaha School of Massage and Healthcare of Herzing University by the Coordinating Commission for Postsecondary Education on October 22, 2009.

\*Includes internship/externship

## APPENDIX 2

Diplomas:

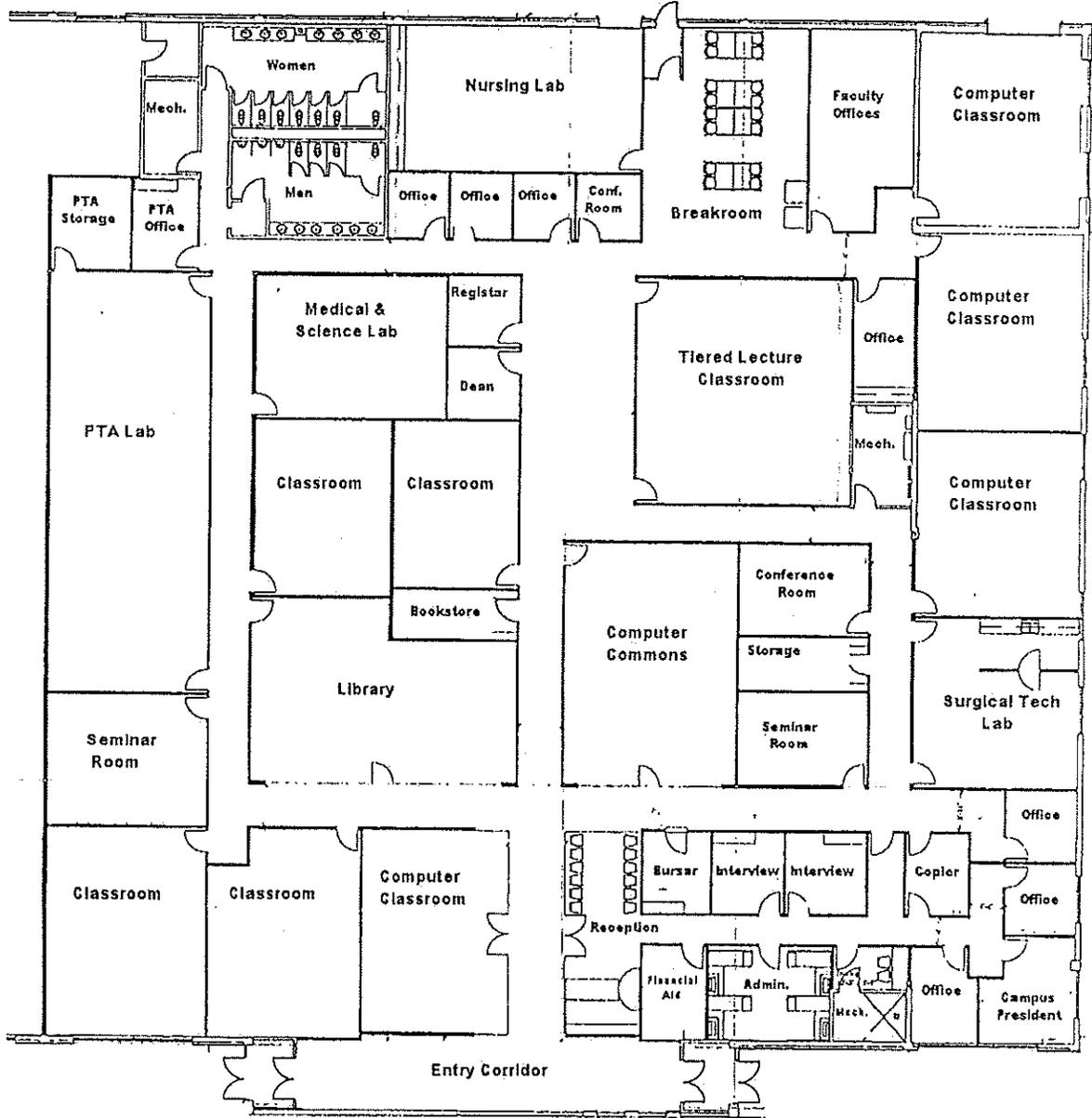
Major	Total credit hours	Hours in the major	Other requirements
Cisco Networking	16		
Microsoft Networking	24		
Network Systems	32		
# Medical Assisting	48	46*	2 hrs personal development
# Medical Billing and Insurance Coding	45	43*	2 hrs personal development

# Previously approved by the Nebraska Department of Education for the Omaha School of Massage and Healthcare of Herzing University.

\*Includes internship/externship

# APPENDIX 3

## Typical Herzing University Campus Building Layout



## APPENDIX 4

(Letters received at CCPE)

May 12, 2010

Dr. Marshall Hill  
Executive Director  
Coordinating Commission for  
Postsecondary Education  
140 N. 8<sup>th</sup> Street, Suite 300  
Lincoln, NE 68509

**RECEIVED**

MAY 12 2010

**Coordinating Commission  
for Postsecondary Ed.**

Dear Dr. Hill:

We, the academic officers of the University of Nebraska system, request that the Coordinating Commission defer a decision on the proposal by Herzing University of Milwaukee, Wisconsin to begin offering new programs in Lincoln and Omaha until such time as Herzing University is able to provide fuller clarification and evidence regarding several issues of concern about its proposed degrees and programs.

Specifically, we recommend that Herzing be asked to provide further evidence about the following:

1. the content and quality of the specific programs/degrees it plans to offer in Omaha and Lincoln;
2. the qualifications of faculty hired to teach in the new programs it plans to offer in Omaha and Lincoln;
3. clearer information about the percentage of these programs that are likely to be offered wholly or partly online;
4. likelihood that students who complete Herzing's relevant courses of study will be sufficiently prepared to meet licensing requirements (e.g. pass rates for Herzing students who have taken the national licensing exams for practical and registered nurses);
5. ability to meet fully the appropriate accreditation requirements for relevant fields (e.g. Commission on Accreditation in Physical Therapy Education). Currently, Herzing's physical education program offered out of Orlando, Florida has been named a candidate for accreditation but has not been awarded CAPTE accreditation;
6. specific program tuition costs communicated more fully and transparently (e.g. on the Herzing University website).

According to the website of the Higher Learning Commission, the regional accrediting agency for Herzing University, Herzing is scheduled to provide a monitoring report to the HLC by June 30, 2011 regarding the integrity of its public information and learning outcomes assessment. We recommend that the CCPE postpone considering the Herzing proposals to offer additional degrees in Nebraska until after receiving responses to the above concerns and after receiving a copy of the monitoring report and related materials due to the HLC by June 30, 2011.

University of Nebraska  
May 12, 2010  
Page 2

We believe our request for postponement is consistent with concerns expressed to the CCPE in its Committee recommendations. The distinction our request makes is that the CCPE not make a decision to approve Herzing's proposals to offer degrees on a conditional basis, but that the CCPE postpone any decision until after Herzing has provided sufficient evidence that it has met the concerns expressed by the CCPE recommending Committee and the concerns expressed above.

Sincerely,

Terry Hynes  
Senior Vice Chancellor for Academic and Student Affairs  
University of Nebraska at Omaha

Ellen Weissinger  
Interim Senior Vice Chancellor for Academic Affairs  
University of Nebraska-Lincoln

Rubens Pamies  
Vice Chancellor for Academic Affairs  
University of Nebraska Medical Center

Charles Bicak  
Senior Vice Chancellor for Academic and Student Affairs  
University of Nebraska at Kearney

Linda Ray Pratt  
Executive Vice President and Provost  
University of Nebraska

c: CCPE Commissioners  
Dr. Joyce D. Simmons, Chair  
Dr. Ronald Hunter, Vice-Chair  
Riko E. Bishop  
Dr. Dick C.E. Davis  
John Winkleblack  
William "Scott" Wilson  
Colleen A. Adam  
Clark W. Anderson  
Mary Lauritzen  
Eric Seacrest  
Carol A. Zink

## Fimple, Kathleen

---

**From:** Jack J Huck [jhuck@SOUTHEAST.EDU]  
**Sent:** Friday, May 14, 2010 9:38 AM  
**To:** Hill, Marshall; Fimple, Kathleen  
**Subject:** Clinical Education follow up

As I reviewed the findings regarding the Herzing proposal I noted that the only Lincoln clinical affiliations cited for the Lincoln proposal were at St. Elizabeth and included 8 nursing slots and 1 PTA slot. It was interesting that the responsible person from St. Elizabeth was quoted in the paper this morning expressing concern about the crowd that already exists.

It would seem that the Herzing folks are relying heavily on clinical availability in Omaha through the Alegent system which would lead me to believe they are planning on sending their Lincoln students to Omaha (and Council Bluffs and Avoca Iowa) for clinical. If the availability they cite in those locations is real, I would respectfully suggest that their proposed program offerings in Nursing, PTA and Surgical Tech be restricted to their Omaha location.

I remain concerned about the finite number of slots available in Lincoln and the impact of adding additional competition for those slots. As you know the idea of relieving the pressure by expanding to the rural hospitals is not realistic because those rural hospitals do not have the frequency and type of experience on a day to day basis that supports the necessary clinical content. I can say this to you with sound knowledge as I serve on the Board of both the Crete Area Medical Center (an outstanding rural hospital) and the BryanLGH System in Lincoln and I am familiar with the level of care provided in both settings. In addition the LPN programs we offer in Geneva and Falls City give us significant knowledge about clinical availability in rural settings.

I also want to emphasize my appreciation to both of you and the Commission for your past and continuing support of our Health Science programs and your occasional prodding to increase our level of service. We have listened to you and we have done so very successfully. The impactful side of the Herzing consideration for us is that any time one of the existing clinical slots disappears we must reduce class size and head in the opposite direction we both value. Thus, my reason for suggesting to you that they perhaps consider offering the health programs in the locations only where they will not detract from clinical availability for others.

Thanks for the opportunity to share my thoughts with you.

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## Fimple, Kathleen

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**From:** Hill, Marshall  
**Sent:** Friday, June 04, 2010 8:13 AM  
**To:** Fimple, Kathleen  
**Subject:** FW: NLN Releases New Data

Let's add this to the "letters received" re. Herzing.

Marshall

---

**From:** Jack J Huck [mailto:jhuck@SOUTHEAST.EDU]  
**Sent:** Tuesday, May 18, 2010 8:04 AM  
**To:** Hill, Marshall; Fimple, Kathleen; Pfeil, Carna  
**Subject:** FW: NLN Releases New Data

An article that may be of interest to you during your deliberations.

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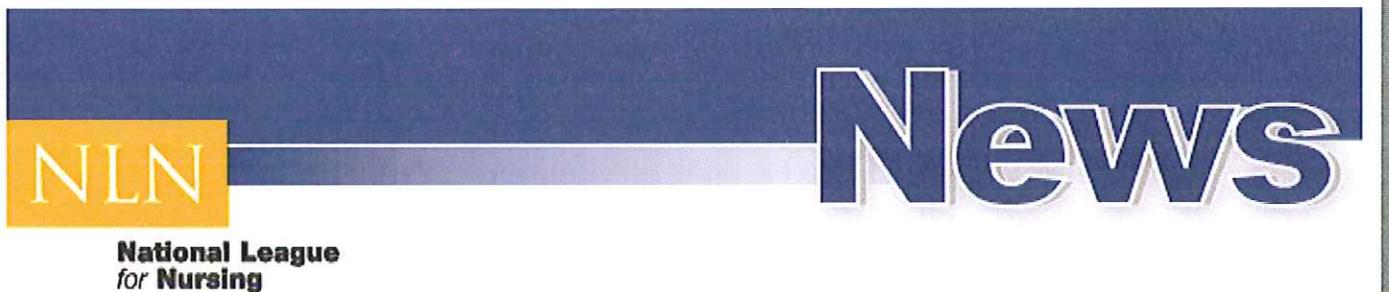
**From:** Karen A Stevens  
**Sent:** Monday, May 17, 2010 9:25 AM  
**To:** Jack J Huck  
**Subject:** FW: NLN Releases New Data

I read the article in the Journal Star about Herzing College and your response. Here is an article from NLL that may also shed some light on the shortage of clinical sites and nursing faculty. Thank you for supporting our nursing programs in Nebraska.

Karen A Stevens  
Practical Nursing  
Southeast Community College  
4771 West Scott Road  
Beatrice NE 68310  
kstevens@southeast.edu

---

**From:** NLN Communications [mailto:communications@nlm.org]  
**Sent:** Friday, May 14, 2010 10:47 AM  
**To:** Karen A Stevens  
**Subject:** NLN Releases New Data



**FOR IMMEDIATE RELEASE**

**Press Contact:** Karen R. Klestzick  
212-812-0376; [kklestzick@nlm.org](mailto:kklestzick@nlm.org)

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**FINDINGS FROM LATEST NLN ANNUAL SURVEY OF SCHOOLS OF NURSING  
ADMINISTERED OCTOBER THROUGH DECEMBER 2009 CONFIRM REPORTED TRENDS**

**Faculty Shortage and Lack of Clinical Placements Impede Expansion  
Minority Enrollment Moves Upward**

**New York, NY — May 13, 2010** — NLN research findings on the 2008-2009 academic year indicate that the capacity of the nation's nursing education programs continued to fall short of demand as a weakened economy nearly halted expansion.

"For the second year in a row," explained NLN CEO Dr. Beverly Malone, "the nation saw almost no growth in the number of prelicensure nursing programs. In 2008-2009, the number of diploma programs remained stable at 69, and ADN and BSN programs showed only tiny net gains: eight for ADN programs and two for BSN programs."

Almost 40 percent of all qualified applications to basic RN programs were turned away in 2008-2009. ADN programs — concentrated in public institutions, which see applications rise more sharply during recessions — rejected 45 percent of qualified applications, while BSN and diploma programs denied admission to 28 and 23 percent of qualified applications, respectively.

However, the likelihood of qualified candidates being denied entrance was notably lower for postlicensure programs. Doctoral and master's programs turned away 18 and 13 percent of qualified applications, respectively, and BS-RN programs declined admission to a mere 3 percent of those who were qualified.

Adding to the evidence of overstretched capacity is the extraordinarily high percentage of accepted candidates who matriculate (known as the yield rate) in nursing education programs: nursing programs typically enroll almost double the percentage of four-year colleges and universities in the United States; the yield rate among prelicensure RN programs climbed for the fourth consecutive year to a near-term high of 88 percent in 2008-2009. ADN programs enrolled a stunning 95 percent of those who were accepted. Similar rates are seen in nursing across all program types, with LPN/LVN programs also showing yield rates averaging 94 percent.

And while a lack of clinical practice settings continues to be a major issue for prelicensure programs — cited by 42 percent of ADN programs, 32 percent of BSN programs, and 38 percent of LPN nursing programs — there was a notable increase in the percentage of programs across all program types that reported that the faculty shortage was the obstacle to expansion this year.

"We were pleased to note," said NLN president Dr. Cathleen Shultz, "that after a period of slow growth, the percentage of minority students enrolled in basic RN programs showed a very healthy increase in 2008-2009." While all racial-ethnic categories experienced a bump, Hispanics, who represent 12 percent of all four-year college students, remain the most underrepresented of all minorities in nursing education, comprising only 7 percent of students in RN programs. And the percentage of men enrolled in basic nursing programs reached a high in 2008-2009 at 13.8 percent. The presence of male students in nursing programs has varied considerably over the past three decades. The last three US economic recessions (of the late 1980s, early 2000s, and 2008) appeared to spur men to enter nursing programs in larger numbers, after which their ranks continued to creep upward for several years. However those gains were lost during the last two postrecessionary periods as labor market conditions shifted and men sought employment opportunities elsewhere.

---

Visit NLN DataViewT at [www.nln.org/research/slides](http://www.nln.org/research/slides) for a comprehensive set of tables and figures in a variety of easy-to-use electronic formats and for the Executive Summary.

Editors and reporters: For interview opportunities, please contact NLN chief communications officer, Karen R. Klestzick, at 212-812-0376 or [kklestzick@nln.org](mailto:kklestzick@nln.org).

*Dedicated to excellence in nursing, the National League for Nursing is the premier organization for nurse faculty and leaders in nursing education. The NLN offers faculty development, networking opportunities, testing services, nursing research grants, and public policy initiatives to its 31,000 individual and 1,200 institutional members who represent nursing programs across the academic spectrum.*

61 Broadway □ New York, NY 10006 □ 800-669-1656 □ [www.nln.org](http://www.nln.org)

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RECEIVED

MAY 26 2010

Coordinating Commission  
for Postsecondary Ed.



May 24, 2010

Dr. Marshall Hill, Executive Director  
Coordinating Commission for Postsecondary Education  
PO Box 95005  
Lincoln, NE 68509

Dear Dr. Hill:

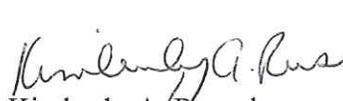
As President/CEO of BryanLGH Health System, President/COO and Vice President, Patient Care Services/CNO of BryanLGH Medical Center, we would like to express our opposition to and concern for allowing Herzing University of Milwaukee, WI to offer degrees at a campus in Lincoln, NE.

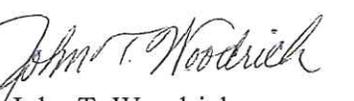
BryanLGH College of Health Sciences has made a significant investment in the future of healthcare education and the region in building new facilities for the College. In addition, the College has successfully applied for and received accreditation to offer Bachelor's degrees in the areas of Nursing, and starting in spring 2011, Allied Health/Health Professions. It is important to support the local colleges and universities that have established high quality academics, adhere to selective admissions standards, and promote lifelong learning within a non-profit, healthcare context. To allow Herzing University to open a campus in Lincoln would undermine our ability to offer this high quality healthcare education at the lowest possible cost to our students.

Finally, the public and private colleges and universities of Nebraska have worked cooperatively and proactively to secure clinical sites for their programs at healthcare facilities across the state. This has been an onerous but rewarding process for our locally owned and governed institutions of higher learning, and it is dependent on goodwill among all of our institutions. The incursion of Herzing University into the clinical sites in Nebraska would disrupt this health partnership and threaten the efficacy of clinical education for our existing institutions.

Thank you for your consideration in this matter.

Sincerely,

  
Kimberly A. Russel  
President and CEO  
BryanLGH Health System

  
John T. Woodrich  
President and COO  
BryanLGH Medical Center

  
Kathy Campbell  
Vice President/CNO  
BryanLGH Medical Center



May 25, 2010

**RECEIVED**

MAY 27 2010

Dr. Marshall Hill, Executive Director  
Nebraska Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509

**Coordinating Commission  
for Postsecondary Ed.**

Dear Dr. Hill:

As the Presidents of BryanLGH College of Health Sciences, Clarkson College, and Nebraska Methodist College, we are writing to issue our opposition to Herzing University's application to offer degrees and diplomas in the Health Sciences. Our opposition to this application stems specifically from our combined commitment to providing excellent clinical education to the future healthcare providers of Nebraska.

BryanLGH College of Health Sciences, Clarkson College, and Nebraska Methodist College enjoy a collaborative relationship that fosters dialogue among our institutions and provides for unique programming and services to our students in Omaha and Lincoln. Over many decades, our three institutions have also worked cooperatively to ensure that students would have access to a range of clinical sites and experience the full continuum of patient care.

Our three institutions also participate in a larger clinical coordination process that includes all public and private institutions in Nebraska. Through this process, faculty work together to maximize the finite number of clinical opportunities in the state, thereby supporting and enriching Health Science curricula available to students. Allowing Herzing University to offer Nursing and Allied Health degrees in Lincoln and Omaha would disrupt this ongoing partnership and weaken clinical education in Nebraska.

BryanLGH, Clarkson, and Nebraska Methodist take pride in offering affordable, high quality educational options for students. Although we are private, accredited, non-profit colleges, our tuition and fees are among the lowest in the state. Students graduate from our respective institutions with a much lower burden of debt than they would accrue as students earning degrees at Herzing University. To be able to educate outstanding clinicians who can think critically, respond effectively to patients' needs, and demonstrate good citizenship is our shared goal. That we are able to achieve this goal while offering students reasonable tuition and good scholarship support underscores our commitment to creating meaningful pathways for Nebraska's students seeking an outstanding collegiate education.

Finally, our three institutions share concern about the integrity of Herzing University's application to offer these degrees. While the application states that Herzing University has secured clinical sites at Nebraska Methodist Hospital, we can affirm that this claim is false. Moreover, we have learned that Herzing's claim that up to 16 students would find clinical placement at Alegent Health System in Omaha is also erroneous, as Alegent confirms that no more than one student per semester will be permitted to complete clinical rotations. The inconsistencies between Herzing's application and the reality of its circumstances would indicate that this institution is invested in expanding its reach and bolstering its finances—and is not committed to furthering quality higher education in Nebraska.

As the three private, non-profit Health Science institutions of higher learning in Nebraska, we urge the Nebraska Coordinating Commission on Postsecondary Education to recognize Herzing University's application to offer Health Science degrees as a threat to affordable, high quality, and comprehensive clinical education in our state. We exhort you to deny Herzing's application to expand its programs in our state.

Sincerely,



Dr. Lou Burgher, President  
Clarkson College



Dr. Dennis Joslin, President  
Nebraska Methodist College



Dr. Elizabeth MacLeod Walls, President  
BryanLGH College of Health Sciences



BryanLGH  
COLLEGE of HEALTH SCIENCES

5035 Everett • Lincoln, NE 68506-1398

**RECEIVED**

MAY 28 2010

**Coordinating Commission  
for Postsecondary Ed.**

May 26, 2010

Dr. Marshall Hill, Executive Director  
Nebraska Coordinating Commission for Postsecondary Education  
P. O. Box 95005  
Lincoln, Ne 68509

Dear Dr. Hill:

As Dean of Nursing at BryanLGH College of Health Sciences, I am writing to voice my concern regarding the Herzing University application which includes offering baccalaureate nursing programs in Nebraska.

BryanLGH College of Health Sciences is a non-profit college with a School of Nursing. The School of Nursing offers the Baccalaureate Degree in Nursing as well as the RN-BSN completion option for registered nurses educated at the diploma or associate degree level. An ongoing challenge to nursing programs in the Omaha and Lincoln area is to obtain adequate types and numbers of clinical experiences for its nursing students. In Lincoln, all nursing programs work in a collaborative manner through a Clinical Coordinating Council. Members of area nursing programs and area health facilities participate in this coordination process to maximize use of facilities. Members of this group, both on the education and the provider side can speak to the tightness of clinical site availability. Clinical placements are particularly problematic for the specialty areas of practice including obstetrics, pediatrics, critical care nursing and emergency nursing.

As a program with a mission of development of clinical competence and academic excellence in its graduates, the clinical component of our education is paramount. The addition of more nursing programs of study can compromise the clinical experiences of existing programs while also placing increased burden on clinical facilities.

SCHOOL OF NURSING • SCHOOL OF ALLIED HEALTH  
SCHOOL OF NURSE ANESTHESIA  
RESEARCH AND PROFESSIONAL PRACTICE CENTER

Please consider the impact that the addition of another baccalaureate nursing program in the state will have on the existing programs that have been in place to educate nurses to serve our publics.

Thank you.

A handwritten signature in black ink that reads "Dr. Kay Maize". The signature is written in a cursive, flowing style.

Kay Maize, RN, MS, MSN, Ed.D.  
Dean of Nursing

PO Box 3777 Omaha, NE 68103-0777 www.mccneb.edu

 **METROPOLITAN**  
COMMUNITY COLLEGE

May 29, 2010

**RECEIVED**

JUN 01 2010

**Coordinating Commission  
for Postsecondary Ed.**

Dr. Marshall Hill  
Executive Director  
Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509-5005

Dear Dr. Hill:

For the public hearing to be conducted on June 10, 2010 to receive public testimony concerning the request by Herzing University of Milwaukee, WI to offer the Bachelor of Science degree in Nursing in Lincoln and Omaha, Metropolitan Community College is submitting the attached statement prepared by Dr. Stacey Ocander, MCC Dean of Health and Public Services. As you will see in the statement, Metropolitan Community College opposes the Herzing request based on the availability of clinical spots and the availability of qualified clinical and classroom faculty.

In accordance with the Notice of Public Hearing issued by the Commission on May 18, 2010, please have our written comments read and made a part of the record at the time of the hearing.

Respectfully yours,



David K. Ho  
Vice President for Academic Affairs  
Metropolitan Community College  
P.O. Box 3777  
Omaha, NE 68103-0777  
(402) 457-2716

The process for securing clinical spots for all levels of nursing programs within the Omaha Metro area is clear and consistent with published guidelines provided to all academic institutions seeking placement of students. On an annual basis, MCC seeks to find quality placement for approximately 204 nursing students.

During the past 2 years we have experienced the following in regards to **clinical spots**:

- Decreased availability of clinical spots due to renovation at hospitals or reorganization
- Decreased availability of clinical spots due to low census
- Going to a split clinical structure where students are doing rotations in 4, 6, 8, and 12 hour rotations on daily, evening, and weekend timeframes
- Inability of hospitals to host first year students during the Magnet process and increase in acuity of patient care
- Unable to find quality mental health rotations due to limited mental health facilities in the Omaha Metro area
- Need to undergo a multi-million dollar renovation in the nursing area to provide more observation and clinical exposure within the academic laboratory setting due to decreased clinical spot availability

During the past 2 years we have experienced the following in regards to **qualified clinical and classroom faculty**:

- Conducted 4 faculty searches which averaged 2 applicants per search
- Observed a 'revolving door' of nursing faculty in proprietary schools with no longevity of directors

General opinion of Deans and Directors regarding the clinical assignment process as shared at Nebraska Deans and Directors meeting:

- If more qualified faculty and clinical spots were available, schools currently approved to offer nursing in Nebraska would increase capacity
- The opening of new hospitals in the Omaha Metro area does not necessarily reap immediate increase in clinical spots for students as most organizations opt to operate for 1-2 calendar years prior to hosting students in their facilities as experienced with *Lasting Hope, Lakeside Hospital, and Bergen Mercy Maternity Center*
- The process for securing clinical spots through the Alegent Health Systems and Childrens Hospital and Medical Center are very clear, objective, and collegial
  - Notices for requests are sent out twice annually
  - Academic institutions request spots for the year
  - A face to face meeting is held and open to Deans and Directors of Nursing Programs with the purpose of negotiation between schools and strategic planning to meet the needs of **existing nursing programs**

- During the past 4 years there has not been a time when all schools were awarded each request and thus the **existing nursing programs** have had to cap enrollment until such time capacity within the healthcare settings can be increased

**Professional Statement:**

As the Dean of Health and Public Services at Metropolitan Community College and a member of the Nebraska Nursing Deans and Directors, Nebraska Wesleyan Nursing Advisory Board, Graduate faculty mentor, and a professional with over fifteen years of experience in the medical field, it is my professional opinion that the approval of an additional academic institution offering nursing and allied health programs will weaken an already overly impacted clinical system.

Although the media continues to exploit the need for nurses and an expected shortage, it is not due to the lack of academic institutions offering quality nursing programs. It is a direct reflection of capacity of healthcare systems to provide for quality clinical spaces and qualified, experienced nursing faculty. The nursing profession as a whole, as well as the administration in healthcare amongst academic institutions and healthcare systems is strategically planning how to address these issues. The solution of adding another nursing program is NOT part of the solution, but rather, an additional splintering of the infrastructure of nursing programs and the clinical request process. As clinical spots increase, Masters prepared nurses graduate, and diversity amongst clinical options arise, current academic institutions WILL increase capacity and continue to have a positive impact on the impending healthcare worker shortage.

Sincerely,

Stacey Ocander, EdD

Dean, Health and Public Services

**RECEIVED**

JUN 01 2010

**Coordinating Commission  
for Postsecondary Ed.**

May 28, 2010

Dr. Marshall Hill  
Executive Director  
Nebraska Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509

Dear Dr. Hill:

Nebraska Wesleyan University, a liberal arts institution, has been involved in nursing education for decades in collaboration with clinical providers and colleges of nursing in Nebraska. Nebraska Wesleyan was one of the first four-year institutions in the state to provide a Bachelor of Science in Nursing degree, beginning in the 1980s, which enabled practicing registered nurses to complete the bachelor's degree in addition to their nursing diploma. In 2000, the Master of Science in Nursing program was established to enable these professionals to achieve a higher level of expertise and service to the health care needs of our state.

Throughout the development of these programs, the faculty of the Nursing Department at Nebraska Wesleyan have maintained strong relationships with health care providers who are at the heart of the clinical training portions of the bachelor's and master's programs. These relationships and the high reputation of Nebraska Wesleyan nursing students have led to placements despite a scarcity of opportunity.

As president of Nebraska Wesleyan University, I am writing to oppose the application of Herzing University to offer the bachelor's degree in nursing. As has been stated by Nebraska Wesleyan's institutional colleagues in nursing education—Clarkson College, Nebraska Methodist College, and Bryan LGH College of Health Sciences—our state is well served by the cooperation of these long-respected institutions and by the care they exhibit to ensure that the limited number of clinical opportunities in our state lead to the finest outcomes among program graduates.

Yours truly,



Frederik Ohles  
President

---

# Saint Elizabeth Sports & Physical Therapy

5/28/2010

Coordinating Commission for Postsecondary Education  
PO Box 95005  
Lincoln, NE 68509-5005

**RECEIVED**

JUN 01 2010

Coordinating Commission  
for Postsecondary Ed.

RE: Herzing University

Dear Commission Members,

It has come to my attention that Saint Elizabeth Regional Medical Center is listed as a clinical education site for physical therapist assistants on page 17 of the proposal submitted by Herzing University. My name, Jeff Weissert, is specifically listed as the contract for this clinical education site.

I have been in my role as director for 12 years, and I am solely responsible for clinical education agreements for both physical therapists and physical therapist assistants for Saint Elizabeth. During that time I have never been contacted by a representative of Herzing University, and we have never entered into an agreement with Herzing University to be a clinical education site. The application representing Saint Elizabeth as a clinical education site for physical therapist assistants is false and misleading.

We do presently take students from approximately 10 physical therapy and physical therapy assistant programs both locally and regionally. The requests from these programs for clinical slots are more than we can presently meet. We are considering ending our agreements with two regional programs outside of Nebraska because we can only take a limited number of students. Students require close supervision in order to meet clinical education requirements. We limit the number of students we take to insure quality and to avoid staff burn out. We cannot take more and maintain quality.

I find the Herzing University application disturbing due to the lack of integrity in representing Saint Elizabeth as a clinical education site. This is not consistent with the values required to educate medical professionals. I would encourage the Coordinating Commission for Postsecondary Education to confirm the validity of the clinical education sites listed on the proposal. I would also request the proposal be rejected.

Sincerely,



Jeff Weissert, PT

Director Saint Elizabeth Sports and Physical Therapy

May 28, 2010

Coordinating Commission for Post-secondary Education  
140 N. 8<sup>th</sup> Street, Suite 300  
Lincoln, NE 68508

I am writing in reference to a proposal advanced by Herzing University to establish a number of degree programs in Nebraska. In short, I do not support the addition of Herzing programs to the state's educational offerings, and am particularly concerned about the quality of criminal justice programming.

The educational background and academic credentials of the vast majority of Herzing University faculty are not commensurate with what is normally expected of faculty at a four year college or university. More specifically, faculty at four year institutions are typically required to hold a terminal degree in their area of study, which is frequently a doctorate. While Herzing does have some PhD level faculty, the majority of their faculty hold a masters (and in some cases a professional degree) as their highest degree, according to the full- and part-time faculty credentials articulated on pages 19-65 of their undergraduate catalog:

	# Faculty	PhD	Masters/Professional	Baccalaureate
Akron	44	0	32	8
Birmingham	26	0	20	6
Brookfield	2	1	0	1
Kenosha	10	4	5	1
Madison	40	0	40	0
Minneapolis	26	4	13	8 <sup>a</sup>
New Orleans	22	1	17	4
Omaha	13	0	8	5
Online	221	48	168	5
Orlando	30	5	20	5
Toledo	23	1	20	0 <sup>b</sup>

<sup>a</sup> The highest degree held by one faculty member is an Associates degree.

<sup>b</sup> The highest degree held by two faculty members is an Associates degree.

Not only do the credentials of Herzing faculty fall short in comparison to those of faculty at other four year institutions, their degrees are not always in the discipline in which they are teaching. For example, Herzing offers a baccalaureate degree in criminal justice at four of their campus locations (i.e., Atlanta, Brookfield, Kenosha, and Madison, see p.128 of the catalog), yet there are no faculty with criminal justice or related degrees at either the Brookfield or Kenosha campuses, and there is only one faculty member on both the Atlanta and Madison campuses with a criminal justice degree. The absence of doctoral level training coupled with a lack of a formal education in the subject area raises serious questions about the quality of education being provided to students. While relying on masters level faculty and practitioners to teach may be appropriate at the community college level, faculty at four year institutions are typically held to much more stringent requirements with regard to their educational achievements and degree areas. The educational level and background of the faculty is in fact one of the key factors that distinguishes four year institutions from community colleges.

An additional concern is that few Herzing administrators hold terminal or advanced degrees. While not all administrators have academic backgrounds, the lack of PhD level personnel seems particularly problematic when considering the presidents and academic deans for each campus.<sup>1</sup> Of the 12 campuses listed, only two institution presidents hold a doctorate, yet this position appears to be similar to that of the Chancellors in the NU system. Similarly, only three academic deans hold a doctorate, yet this position is similar to that held by the Senior Vice Chancellors in the NU system. Finally, while one member of the Herzing Executive Committee holds a doctorate, neither the President, Chancellor, nor person in charge of academics holds a doctorate. A doctorate is not in itself an indicator of ability to successfully lead an academic institution. However, it does imply a more comprehensive understanding of the academic enterprise and experience with all of its facets.

In addition to the more general concerns regarding Herzing's faculty and administrators, I would also like to note that it is doubtful that Herzing would expand the avenues available to Nebraskans for higher education in Criminal Justice. There are currently a number of degree programs in this area of study already offered in Nebraska that provide options for higher education to a variety of markets. More specifically, several schools in the state college and university system (i.e., UNO, UNL, UNK, Chadron State, Wayne State, and Peru State) currently offer baccalaureate degrees in Criminal Justice<sup>2</sup> that are widely accessible to persons interested in a four-year college degree. There are also a number of private institutions that offer the baccalaureate degree including Dana College, Doane College, Kaplan University, and Bellevue University. Several community colleges also offer Criminal Justice coursework and/or associates degrees (e.g., Metropolitan Community College, Southeast Community College, Midplains Community College, Iowa Western Community College, Northeast Community College, Western Community College, Central Community College). Many of these schools have articulation agreements in place to help students

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<sup>1</sup> The credentials of Herzing administrators are listed on pages 16-18 of the Undergraduate Catalog.

<sup>2</sup> UNO offers the Bachelor of Science in Criminology and Criminal Justice on both the Lincoln and Omaha campuses.

transfer community college courses into a four year program. Advanced degrees are also available in Nebraska through UNO, which offers the MA, MS, and PhD in Criminology and Criminal Justice. Finally, it is worth noting that in addition to "on campus" offerings, many of the four year and community college programs offer online programming to facilitate distance education.

Taken together, these issues raise serious concerns about Herzing University on a number of fronts. Perhaps of greatest concern are questions regarding the quality of education that Herzing would offer, given the lack of academic credentials of the faculty and administrators. It is also unclear how they would add value to the state's criminal justice programs, which already span the public and private sectors, associates and baccalaureate degrees at the undergraduate level, advanced degrees for professionals (MS) and academics (MA, PhD), and provide both on campus and distance education offerings.

If you have any questions or concerns, please contact me at (402) 554-4452 or [cbatton@unomaha.edu](mailto:cbatton@unomaha.edu).

Respectfully,

A handwritten signature in cursive script that reads "Candice Batton".

Candice Batton, PhD  
Director  
School of Criminology and Criminal Justice  
University of Nebraska at Omaha

## Fimple, Kathleen

---

**From:** Mike Berlin [mikeberlin@excelpt.com]  
**Sent:** Tuesday, June 01, 2010 12:20 PM  
**To:** Hill, Marshall; Fimple, Kathleen  
**Cc:** Karst, Greg  
**Subject:** Herzing Universty proposal

I wanted to make sure you are aware that the inclusion of Excel Rehabilitation, Inc. (dba Excel Physical Therapy) as a clinical site for future Physical Therapy Assistant students in Herzing University's proposal is completely bogus. They have also listed one of my employees (Tom Flynn) as the contact person without his consent or permission .

We are not, and will not be a clinical education site for this program and I take great offense that they would include us without our knowledge, let alone consent.

This would make me quite concerned about the integrity of the programs they propose to offer.

Mike Berlin, PT

Owner

Excel Rehabilitation, Inc.

***Mike Berlin, PT***  
President/CEO

***Excel*** PHYSICAL THERAPY

**402-330-8433**

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## Fimple, Kathleen

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**From:** Hill, Marshall  
**Sent:** Wednesday, June 02, 2010 9:32 AM  
**To:** Fimple, Kathleen  
**Subject:** FW: Clinic Based Programs for Herzing University  
**Attachments:** Letter from Herzing University on Clinical Placements.pdf

---

**From:** Getter, William [mailto:[getterw@herzing.edu](mailto:getterw@herzing.edu)]  
**Sent:** Tuesday, June 01, 2010 7:03 PM  
**To:** Hill, Marshall  
**Cc:** [rherzing@herzing.edu](mailto:rherzing@herzing.edu); Herzing, Henry  
**Subject:** Clinic Based Programs for Herzing University

**TO:** Marshall Hill  
Executive Director  
Coordinating Commission for Postsecondary Education

Dear Marshall,

In follow-up with your recent phone conversations with Chancellor Herzing, I'm writing today for three purposes.

- The first is to forward to you the attached letter that we hope will clear-up the confusion regarding clinical placements in regard to our applications for Lincoln and Omaha. Please let me know if you have any unresolved questions.
- Second, we would like to formally request that consideration of our application concerning the nursing, PTA, and surgical technology programs be deferred until such time as we are able to rebuild our clinical commitments. With all the consternation regarding these proposed programs, we are no longer sure of the level of commitment of some of the clinical sites. One particularly key system has backpedaled significantly in their commitment. We are confident that we can rebuild these relationships with time—but the time is not now.
- Third, we want to reaffirm our desire for the Commission to consider our application for the remaining programs for both proposed campuses.

Thank you for your support and the support of your staff through this rather trying process. It is truly appreciated.

Sincerely,  
Bill Getter

---

**Dr. Bill Getter**  
Vice President of Academic Affairs  
Herzing University  
525 N. 6th Street  
Milwaukee, WI 53203  
E-mail: [getterw@herzing.edu](mailto:getterw@herzing.edu)  
Phone: 414 271-8103, Ext. 211  
Fax: 414 238-2765



**HERZING**  
UNIVERSITY

525 North 6th Street, Milwaukee, WI 53203  
P 414.271.8103 • F 414.271.1607 • www.herzing.edu

June 1, 2010

Dr. Marshall A. Hill  
Executive Director  
Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509-5005

Dear Dr. Hill:

Thank you for the opportunity to address the controversy regarding potential clinical placements in support of the programs being proposed by Herzing University in Lincoln and Omaha. Thank you for the opportunity to set the record straight.

To begin, it would be useful to review what the University has said to the Commission about clinicals. Below is an excerpt from our applications for Lincoln and Omaha addressing clinicals.

#### **EXCERPT FROM HERZING UNIVERSITY APPLICATION**

##### **Clinical Support and Special Programmatic Approvals**

The proposed programs in *Nursing*, *Physical Therapist Assistant*, and *Surgical Technology* (*italicized*) will require clinical placements and programmatic approval/accreditation as follows:

- The *Nursing* program must be approved by the Nebraska Nursing Board before matriculating students.
- The *Physical Therapist Assistant* program will require candidacy status for accreditation by the Commission on Accreditation for Physical Therapy Education (CAPTE) before matriculating students.
- Similarly, *Surgical Technology* must obtain specialized accreditation to qualify the graduates to sit for the Certified Surgical Technologist examination. The campus will apply through Accrediting Bureau of Health Education Schools (ABHES) for this accreditation.

In all three cases, the specialized approval agency will require proof that sufficient clinical sites have been secured to support the program before students can be admitted. (In the case of CAPTE, the University will be required to provide documentation that 150% of the required clinical assignments have been secured.)

State approval is required before specialized accreditation/approval can be pursued. However, the specialized approval/accreditation process provides a “safety valve” for the Commission to ensure sufficient clinical placements have been secured prior to matriculation of students.

The University is not waiting for the specialized accreditation process to begin work on arranging clinical placements for future students however. As part of the preliminary analysis of the feasibility of these programs, the University Director of Nursing and

Healthcare Programs has worked with clinical sites to obtain tentative clinical commitments as outlined below.

- Attachment 5 is a listing of nursing locations that have tentatively agreed to provide clinical placements for both Herzing University campuses being proposed in Nebraska--numbering over 120 placements. Many of these locations have committed to support surgical technology as well.
- Similarly, Attachment 6 is a listing of physical therapy locations that have committed to support Physical Therapist Assistant students sufficient to support an initial cohort of up to 33 students in accordance with CAPTE standards.

Final signed clinical agreements formalizing these tentative commitments (and others that can be arranged in the meantime) must be obtained prior to matriculating students in each of these three programs.

It is important to note that the thrust of the statements in the application was that it was too early in the process for the University to secure formal clinical agreements (as it would be for any school including current providers). However, as part of our *internal preliminary analysis* of the feasibility of the clinic-based programs, we had made preliminary contacts with and received tentative assurances from the listed facilities that they would be willing to work with us on clinicals at the appropriate time.

What caused most of the confusion is that we attached (as attachments 5 & 6) our internal preliminary analysis worksheets regarding potential without adequately explaining how to read them.

In our internal preliminary analysis process, the heading on the worksheets had the following meanings:

FACILITY: Name and location of potential clinical site

CONTACT PERSON: The name of the person Herzing University understands would handle on-site clinical supervision at the facility when we got to that point in the future. This is not necessarily the person who we talked to regarding whether the facility would be willing to work with us. The purpose of having this column on the spreadsheet for the preliminary analysis work was to provide the future nursing director with a contact person when it came time to supervise clinicals.

Because we did not explain this either in the narrative of the application nor on the spreadsheets themselves, virtually everyone who has used the spreadsheets has assumed that this is the person we talked to about whether the facility would be willing to work with us. In retrospect, we should have deleted this and the next column from the copy of the spreadsheets provided to the Commission since they serve no real purpose in the Commission's decisions.

PHONE NUMBER: Phone number of the "Contact Person" (See above)

# OF STUDENTS: This is Herzing University's conservative estimate of the TOTAL clinical capacity of the facility. Thus, the sum is a very conservative estimate of the total capacity of community to support clinical assignments for all schools—numbering over 120 placements.

When deciding which communities are most attractive to the University for possible expansion, those with greater overall capacity are more attractive than those with less. This proceeds from the assumption that, at least initially, we can only expect to get the

“left over” clinical assignments after long term partners have had their pick. The more overall capacity in a community, the more slack resources would be available.

It appears that those viewing the spreadsheets without further explanation have assumed “# of Students” meant “the number of students the facility had promised to Herzing” even though we stated in the body of our application that it is too early for any facility to be able to commit to Herzing or any other school any specific number of clinical placements.

Two different newspapers and the Commission staff have attempted to use the spreadsheets to “verify” the number of clinical placements for which Herzing has agreements. All three attempts have come up dry because the “contact person” for future clinical supervision in many cases is not the same person we spoke with about the facility’s willingness to work with us in clinical placements and because the number annotated next to each facility did not represent clinical agreements but rather total capacity (probability significantly understated).

To clear-up the matters of misunderstanding, I have attached revised spreadsheets for the Commission’s review. On each we have added an explanation of what each columns means. We have also added a fifth column with the name of the person we spoke with at that facility. (Note: For one facility each on the Nursing and PTA spreadsheets, our notes were not clear on the name so that is indicated.)

Again to be clear, Herzing University makes no assertion to the Commission as to actual number of clinical placements we will ultimately be able to secure in support of these programs since it is too early in the process for any school to be able to make sure an assertion. However, we did and still assert that we will not matriculate more students than we have clinical placements to support at the time of matriculation. Further, based on our preliminary analysis at the time of the application, we were confident that the health care infrastructures in both Lincoln and Omaha were sufficiently large that slack clinical capacity would be sufficient to make the programs economically viable for the University.

If you have any additional questions regarding our application, please feel free to contact me.

Sincerely,

*William M Getter*

William M. Getter, D.P.A.  
Vice President of Academic Affairs  
Herzing University

NURSING FACILITY	CONTACT PERSON	PHONE NUMBER	# OF STUDENTS	PERSON WE SPOKE WITH
<i>Name and location of potential clinical site</i>	<i>The name of the person Herzing University understands would handle on-site clinical supervision at the facility when we got to that point in the future--not necessarily the person who assigns the clinical slots.</i>	<i>Phone number of the "Contact Person"</i>	<i>This is Herzing University's conservative estimate of the TOTAL clinical capacity of the facility.</i>	<i>This is the person that Herzing University actually spoke with about supporting clinicals.</i>
<b>ALEGENT HEALTHCARE SYSTEM-OMAHA</b>	Diane Lee	402-717-1850		Spoke, visited and corresponded with Diane Lee at Alegent Corp Office speaking for all Alegent sites. Actual clinicals would be assigned during normal planning cycle. Ms. Lee indicating that she would call the state board of nursing herself on our behalf.
• Immanuel Medical Center	Sherri Stephany	402-572-2121	8	
• Bergan Mercy Medical Center	Sherri Stephany	402-398-6060	8	
• Lakeside Hospital	Sherri Stephany	402-717-8000	8	
• Lasting Hope Recovery Center	Sherri Stephany	402-717-5300	6	
<b>ALEGENT HEALTHCARE SYSTEM-PAPILLION</b>				
• Midlands Hospital	Sherri Stephany	402-593-3000	8	
<b>ALEGENT HEALTHCARE SYSTEM-SCHUYLER</b>				
• Schuyler Memorial Hospital	Roseann Neuhaus	402-352-2441	8	
<b>ALEGENT HEALTHCARE SYSTEM-COUNCIL BLUFFS, IOWA</b>				
• Mercy Hospital	Susan Esler	712-328-5000	8	
<b>ALEGENT HEALTHCARE SYSTEM-MISSOURI VALLEY, IOWA</b>				
• Community Memorial Hospital	Debbie Tizzy	712-642-2784	8	
<b>ALEGENT HEALTHCARE SYSTEM-CORNING, IOWA</b>				
• Mercy Corning Hospital	Angie Ebelyn	641-322-3121	8	
<b>ST.MARY'S HOSPITAL-AVOCA, NEBRASKA</b>	Kathy Yost	402-873-3321	8	Notes not clear.
<b>BEATRICE COMMUNITY HOSPITAL-BEATRICE, NEBRASKA</b>	Tera Mintze	402-228-3344	6	Jan Raines

MEMORIAL COMMUNITY HOSPITAL-BLAIR,NE	Tamara Hime	402-426-2182	6	Kathy Jensen
CASS COUNTY COMMUNITY HOSPITAL-ATLANTIC, IOWA	Amber Scott	712-243-3250	6	Mike Rohde -- Provided signed agreement.
EDMUNSON MEMORIAL HOSPITAL-COUNCIL BLUFFS, IOWA	Sandy Westfall	712-396-6000	8	Becky Hinkle
METHODIST HOSPITAL-OMAHA, NEBRASKA	Terri Tipton	402-354-4000	8	Terri Tipton but Debbie Cuttler later withdrew all support
FREMONT AREA MEDICAL CENTER-FREMONT, NEBRASKA	Angie (Human Resources)	402-721-1610	6	The initial contact was Angie in Human Resources and we later met with Angela Leeper, Educational Coordinator (she even provided a resume for a potential nursing director). We never spoke with a Peg Kennedy.

<p>ST. ELIZABETH REGIONAL MEDICAL CENTER- LINCOLN, NEBRASKA</p>	<p>Sue Schuelke</p>	<p>402-219-5122</p>	<p>8</p>	<p>Talked to Sue Schuelke. She indicated that they wanted more BSN over ADN students. Will not know for sure on actual number of clinicals for a year. Invited us to their career fair. We never talked to Jeff Wiessert.</p>
<p>Student Totals</p>			<p>126</p>	

PHYSICAL THERAPY ASSISTANT	FACILITY	CONTACT PERSON	PHONE NUMBER	# OF STUDENTS	PERSON WE SPOKE WITH
	<i>Name and location of potential clinical site</i>	<i>The name of the person Herzing University understands would handle on-site clinical supervision at the facility when we got to that point in the future--not necessarily the person who assigns the clinical slots.</i>	<i>Phone number of the "Contact Person"</i>	<i>This is Herzing University's conservative estimate of the TOTAL clinical capacity of the facility.</i>	<i>This is the person that Herzing University actually spoke with about supporting clinicals.</i>
ALEGENT HEALTHCARE SYSTEM-OMAHA	<ul style="list-style-type: none"> <li>Immanuel Medical Center</li> <li>Bergan Mercy Medical Center</li> <li>Lakeside Hospital</li> <li>Lasting Hope Recovery Center</li> </ul>	Diane Lee diane.lee@alegent.org	402-717-1850		We spoke with Jill Powers speaking for the Alegent system.
ALEGENT HEALTHCARE SYSTEM-PAPILLION	<ul style="list-style-type: none"> <li>Midlands Hospital</li> </ul>	Jill Powers	402-572-2121	4/WEEK	
ALEGENT HEALTHCARE SYSTEM-SCHUYLER	<ul style="list-style-type: none"> <li>Schuyler Memorial Hospital</li> </ul>	Jill Powers	402-398-6060	4/WEEK	
ALEGENT HEALTHCARE SYSTEM-COUNCIL BLUFFS, IOWA	<ul style="list-style-type: none"> <li>Mercy Hospital</li> </ul>	Jill Powers	402-717-8000	4/WEEK	
ALEGENT HEALTHCARE SYSTEM-MISSOURI VALLEY, IOWA	<ul style="list-style-type: none"> <li>Community Memorial Hospital</li> </ul>	Physical Therapy Mgr.	402-593-3000	1	
ALEGENT HEALTHCARE SYSTEM-CORNING, IOWA	<ul style="list-style-type: none"> <li>Mercy Corning Hospital</li> </ul>	Nathan Olson	402-352-2441	2-Jan	
ALEGENT HEALTHCARE SYSTEM-CORNING, IOWA	<ul style="list-style-type: none"> <li>Mercy Corning Hospital</li> </ul>	Tammy Phillips	712-328-5000	2	
ALEGENT HEALTHCARE SYSTEM-CORNING, IOWA	<ul style="list-style-type: none"> <li>Mercy Corning Hospital</li> </ul>	Heather Fogleman	712-642-2784	2	
ST.MARY'S HOSPITAL-AVOCA, NEBRASKA	<ul style="list-style-type: none"> <li>Mercy Corning Hospital</li> </ul>	Clint Allen	641-322-6282	Can take 1 student each day (Mon-Fri)	
MEMORIAL COMMUNITY HOSPITAL-BLAIR,NE	<ul style="list-style-type: none"> <li>Mercy Corning Hospital</li> </ul>	Tristin Miller	402-873-3321	Can take 1 student each day (Mon-Fri)	Tristin Miller
CASS COUNTY COMMUNITY HOSPITAL-ATLANTIC,	<ul style="list-style-type: none"> <li>Mercy Corning Hospital</li> </ul>	Mike Ketchum	402-426-2182	2	N/A -- Non Available
			712-243-3250		Mike Rohde with written Agreement

<b>IOWA</b>	Lisa Fidone	712-396-6000	Can take 1 student each day (Mon-Fri)	Lisa Fidone
EDMUNSON MEMORIAL HOSPITAL-COUNCIL BLUFFS, <b>IOWA</b>				
METHODIST HOSPITAL-	Debbie Cuttler	402-354-4000	4/week	Terri Tipton but Debbie Cuttler later withdrew all support
<b>OMAHA, NEBRASKA</b>				
FREMONT AREA MEDICAL CENTER- <b>FREMONT, NEBRASKA</b>	Human Resources	402-721-1610	2-Jan	Angie Leeper (See nursing)
ST. ELIZABETH REGIONAL MEDICAL CENTER-LINCOLN, NEBRASKA	Jeff Wiessert	402-219-8777	1	Visited Sue Schuelke one-on-one could work with us on a small scale.
		402-219-5122		
ST. JOSEPH VILLA NURSING & REHABILITATION CTR- <b>OMAHA</b>	Tiffany Harrahill	402-345-5683	2	Doris Petersen
NEBRASKA SKILLED NURSING & REHABILITATION- <b>OMAHA</b>	Teresa Lundy	402-397-1220 EXT. 109	1	Notes not clear on contact.
EXCEL REHABILITATION- <b>OMAHA</b>	Tom Flynn	402-731-1944	2	Visited with Tom Flynn personally.
		<b>Student Totals</b>	50-52	



## OUT-OF-STATE INSTITUTION PROPOSAL To Offer Programs in Nebraska

<b>Institution:</b>	<b>Herzing University, Milwaukee, Wisconsin</b>
<b>Programs:</b>	<p>Bachelor of Science (BS) in:</p> <ul style="list-style-type: none"> <li>• Business Administration</li> <li>• Computer Science</li> <li>• Criminal Justice</li> <li>• Graphic Design</li> <li>• Health Care Management</li> </ul> <p>Associate of Science (AS) in:</p> <ul style="list-style-type: none"> <li>• Business Administration</li> <li>• Computer Networking &amp; Security Technology</li> <li>• Computer Science</li> <li>• Criminal Justice</li> <li>• Graphic Design</li> </ul> <p>Diploma in:</p> <ul style="list-style-type: none"> <li>• Cisco Networking</li> <li>• Microsoft Networking</li> <li>• Network Systems</li> </ul>

**Institution's Existing Degrees in Same or Similar Discipline:**

**All proposed programs are offered at other Herzing University locations**

**Proposed Site for Delivery:**

**Near 96<sup>th</sup> and L Streets, Omaha, Nebraska (Omaha Campus of Herzing University)**

**Proposed Start Date:**

**2010**

### Introduction

Herzing University has operated for 45 years as a private, career-oriented campus with its home office and online programs based in Milwaukee. There are currently ten physical campuses in eight states with programs ranging from certificates to master's degrees in business, computer technology, public safety, design, nursing, and health care. Herzing University is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools, the same entity that accredits Nebraska's public, and many private, institutions of higher education.

In 2008 Herzing University purchased the Omaha School of Massage Therapy. The Commission subsequently approved Herzing to offer AS degrees in therapeutic massage, medical assisting, and medical billing and insurance coding in Omaha as well as a BS degree in health information management. An AS degree in physical therapy assistant was also proposed but denied by the Commission due to insufficient evidence of ability to provide clinical sites. This

proposal is for authorization for Herzing University to offer five additional bachelor of science degree programs, five new associate of science degree programs, and three additional diploma programs in Omaha but at a separate site from the Omaha School of Massage and Healthcare of Herzing University.

Note: State statute and Commission rules require out-of-state institutions to seek approval to offer courses and/or programs in Nebraska. There is no provision for establishing a new campus, other than the location and facilities portions of the application for a new program.

**REVIEW CRITERIA**

**A. Demonstrated Need and Demand for the Programs in the Area to be Served**

High-----	-----Low

Herzing conducted a market analysis for the Omaha area. The proposal described the process the university uses in evaluating potential campus locations. Five criteria were identified: geographic, competitive environment, states that offer grants to students, nursing friendly states/cities, and states that have existing Herzing campuses. Each criterion was weighted 1-5 based on its importance. The highest weighting of 5 was assigned to competitive environment and the lowest to Herzing campuses in the state. The resulting number is called the Market Validity Index. Omaha scored highest in “nursing friendly” and lowest in “competition” and “state grants.” The index number for the city of Omaha was 3.62 (out of 5.0).

Commission staff consulted the Nebraska Department of Labor’s Web site for estimated annual job openings in Omaha for some of the fields represented by the proposed programs.

- The department’s highest estimates were for business positions requiring less than a baccalaureate degree (at least 280 openings).
- Bachelor’s level computer related positions were considered “hot”, especially network systems and data communication analysts (108 openings).
- The department estimated 115 openings for medical assistants, 76 for medical secretaries, and 43 for medical records.
- Graphic design was labeled “hot” but there were no estimates provided for number of openings.
- The only “hot” prospects within criminal justice were correctional officers, police patrol officers, sheriffs, and security guards, none of which require college courses.

Commission staff compiled a table showing Herzing’s proposed programs and the institutions in Omaha that offer similar programs. The table is in Appendix 1. With the exception of two diploma programs, all proposed programs are offered by at least one other institution located in Omaha.

**B. Quality of Programs of Instruction to be Offered in the State**

High-----	-----Low

All of the proposed programs are offered on other Herzing campuses with the same curricula (Appendix 2 details the requirements for each degree and diploma program). Each bachelor of science degree requires a minimum of 120 semester credit hours including 37 hours of general education courses. The general education courses are appropriate for a BS degree and include information literacy; English composition or literature; speech; computer applications; mathematics; natural science with a lab component; social or behavioral science; cultural diversity; and humanities with a critical thinking focus.

Associate degrees require a minimum of 60 semester credit hours including 21 hours of general education courses. Diploma programs range from 16 credit hours for CISCO networking to 48 hours for medical assisting.

The programs all appear to be comparable to those offered by the public and private institutions in Omaha. There are variations within some aspects of the curricula, but the cores of the programs and the requirements seem similar for all. The listing in Appendix 1 also includes accreditation of existing programs in Omaha.

Several of the programs require an internship or externship. Internships in areas such as business are often relatively easy to obtain due to the number of companies in Omaha. Generally, health-related placements are more difficult to secure.

None of the proposed programs require programmatic accreditation for graduates to seek employment in Nebraska. There are accrediting bodies that offer optional accreditation for some programs. See Section H. for more information on accreditation and Herzing’s stated intentions for seeking accreditation.

**C. Quality of Teaching Faculty**

High-----Low				
		√		

Herzing intends to hire faculty for the proposed Omaha programs once the Commission has given approval to their application. Faculty would be hired according to university policy, a copy of which was provided.

Generally, faculty must have at least:

- a master’s degree and expert knowledge in the teaching discipline (for core courses in programs which have a bachelor’s degree in the discipline at Herzing)
- a master’s degree in the teaching discipline, or in a related discipline with 18 credit hours in the teaching discipline (for general education courses)
- a bachelor’s degree and expert knowledge in the teaching discipline (for core courses in programs which do not have a bachelor’s degree in the discipline at Herzing).

Faculty teaching online courses are part of Herzing University’s Online Campus, based in Milwaukee. Herzing reports that all distance learning faculty are provided training on distance learning methodologies and pedagogical support in developing course materials. They are also monitored in the quality of delivery of their online courses by their department chair. The chair logs onto each course section weekly and provides feedback on the quality of student interaction to both the faculty member and the dean.

**D. Quality of Library and Support Services**

High-----Low				
		√		

The campus would have a relatively small on-site library with a professional librarian on staff. Herzing states that the resources would include core book and journal collections in each of the disciplines offered on the campus as well as videos/DVDs and tapes. The library would be on the campus in the new facility physically separate from the Omaha School of Massage and Healthcare of Herzing University (see Section G. for details).

In addition to the local library, students would be able to check out books from any Herzing University library through interlibrary loan. There is also online material available through two library consortia, NebraskAccess and the Library and Information Resources Network (LIRN).

LIRN contains thousands of titles, many available in full-text form. Computers would be available in the library, computer classrooms, and computer commons, with wireless Internet access available throughout the campus building.

The staff would include a registrar, financial aid personnel, and career services support. At the career services center students would receive assistance in resume writing, honing interview skills, and identifying employment opportunities.

**E. Legal Form and Ownership**

Herzing Incorporated is a for-profit organization incorporated in the state of Wisconsin. The proposal included copies of incorporation documents, a list of the company’s principals, board of directors, and senior administrators, and biographic information for each. Herzing, Inc. has filed with the Nebraska Secretary of State to operate in Nebraska.

**F. Financial Soundness & Ability to Fulfill Commitments to Students**

High-----Low				
		√		

Herzing University provided audited financial statements for the year ending December 31, 2008. The financials were reviewed by Commission finance staff. Staff noted that Herzing is a Chapter S Corporation with three owners or shareholders.

Technically, Chapter S Corporations are required to distribute profits to the shareholders because Chapter S Corporations do not pay taxes. Taxes on income or profits are the responsibility of the shareholders so Chapter S profits are distributed to the shareholders. In some instances, such as when Chapter S Corporations purchase other corporations or if the Chapter S Corporation is also doing business in another country, the corporation may retain some earnings, but is limited to the amount of retained earnings that can be added to the base. As an S Corporation, Herzing is maintaining as much retained earnings as legally allowed. The remainder is distributed to shareholders. At the time of the audited financial statements, Herzing was in a good financial condition and had sufficient funds to operate in a fiscally responsible manner.

The proposal included a three year annualized budget for the Omaha Campus (for 2010, 2011, and 2012). The budget shows the campus producing a very small profit in the third year.

The tuition rates per semester would be \$460 for the first 11 credit hours each semester and \$445 for any hours beyond 11. This would make the total cost of tuition approximately \$6,840 per semester if attending full-time. If a student attended part-time only, the cost for a baccalaureate degree would range from \$57,040 to \$63,480; from \$27,600 to \$36,340 for an associate degree; and \$7,360 to \$22,080 for a diploma, depending on the required number of hours.

Selected comparison tuition and fees (roughly estimated):

Program	Herzing	MCC	UNO	Kaplan	Creighton
Business – Bachelor	\$56,560*		\$23,760	\$56,224*	\$88,480
Business - Associate	\$29,200*	\$4,825			
Criminal Just - Bachelor	\$57,500*		\$23,760	\$56,224*	
Criminal Just - Associate	\$32,660*	\$4780			
Computer Sci - Bachelor	\$61,640*		\$24,670		\$88,480

\*includes books

Herzing had previously provided a copy of the college catalog, including college withdrawal policy, college refund procedures, and the federal return policy for Title IV funds (financial aid). Commission staff determined that the default rates for federal student loans at Herzing campuses range from moderately low to low.

### G. Program Location

The Omaha School of Massage and Healthcare of Herzing University is located in southwest Omaha and would continue to house the programs that have been approved for that location. Herzing University has investigated possible sites for the new, larger Omaha campus and is nearing finalization of a location. Typical facilities average between 20,000 and 40,000 square feet and are housed in a single building. The plan for the building under consideration includes five lecture classrooms, five computer classrooms, two seminar rooms, one tiered lecture classroom, administrative and faculty offices, and four laboratories. The labs would house medical/science, nursing, surgical technology, and physical therapist assistant. The sample building layout provided is the actual layout for the proposed Omaha facility and also shows a library, bookstore, computer commons, and break room (see Appendix 3).

### H. Accreditation

Herzing University is accredited by the Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools and has been fully accredited since 2004. If approval for the additional Omaha programs is received, Herzing will apply to the HLC to include the new location under the university's accreditation. (Action by the state is required before an institution can apply to the HLC.) Some of the proposed programs can seek programmatic accreditation by an entity recognized by the U.S. Department of Education.

- Business: Accreditation is not required. The Association of Collegiate Business Schools and Programs and the Association to Advance Collegiate Schools of Business both accredit business programs. It does not appear that any of Herzing University's business programs are accredited.

Herzing University operates in seven other states. Commission staff contacted all seven and verified that Herzing is in good standing in each.

## I. Transferability of Credits

Since Herzing University is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools, students should be able to transfer credits in the same manner as they transfer credits earned at any other regionally accredited institution.

### Public Hearing

A public hearing was held on April 19, 2010, at the State Capitol in Lincoln. The Commission was represented by Marshall Hill, Kathleen Fimple, Katherine Green, and Miste Adamson-DaMoude. Commissioners Colleen Adam and Clark Anderson were in attendance with Commissioner Adam serving as the hearing officer.

Dr. Bill Getter, Vice President of Academic Affairs for the Herzing University system, spoke in support of the application. He stated that in addition to the information provided during the previous hearing for the Lincoln campus, he would like the Commission to know that the lease was ready to sign for the Omaha location. If the application is approved by the Commission, students would be admitted in September 2010.

In response to specific questions from the Commissioners and Commission staff, Dr. Getter provided the following additional information.

- The intent for a new Herzing campus is to spend more than is taken in during the development year. By the end of the first full year, there would be a positive cash flow. Steve Carper, President of Omaha School of Massage and Healthcare of Herzing University, who was also present, said that Omaha had a 6% profit last year. The original budget was for 17% but did not include the expansion. The goal for most years is 17-18%. For the first quarter of 2010 Omaha is at 24%.
- The Omaha School of Massage and Healthcare and the proposed Omaha campus of Herzing University would be two separate facilities. Although both are in southwest Omaha and would be within a mile of each other, they will be primarily stand-alone facilities. There may be a limited sharing of services such as admissions counselors. However, what may appear to be efficient may not be the most effective strategy for serving students.
- The campus presidents for the new Omaha and Lincoln locations will likely be hired locally.
- Over the entire Herzing system, about 75% of the on campus students are full-time. Of the online students, the number is near 50%.
- Baccalaureate programs in which job opportunities do not require a bachelor's degree, such as criminal justice, are designed to help people who are already employed to advance in their field.
- The university is a family operation and the founder has never wanted to sell the company. His daughter, who has the same philosophy, recently became the CEO. In the past, Herzing has purchased smaller institutions in its efforts to expand. Currently, expansion plans focus primarily on adding programs and degrees at existing locations.
- At the home office in Milwaukee, there are roughly 55 employees. The Online Campus is also housed in Milwaukee with about 75 faculty and staff.

There was no neutral testimony or testimony in opposition to the application.

Dr. Mary Urbanski, Director of Nursing and Health Programs for the Herzing University system, was also present.

**A second hearing is scheduled for June 10, 2010 at 9 a.m. Documents received in response to the notice of public hearing that will be entered into the record at the hearing are in Appendix 4.**

**Committee Comment:**

The Academic Programs Committee normally makes recommendations to the full Commission on academic issues. The Committee has reviewed Herzing's application to offer academic programs in Nebraska, related informational material, and the correspondence submitted to the Commission regarding that application. Informational material and correspondence are included as appendices to this document.

Herzing's application has elicited considerable comment and debate, and an additional public hearing is scheduled for June 10, immediately prior to the Commission meeting. All correspondence received by the Commission will be formally introduced into the record. The Committee feels that it would be inappropriate to make a recommendation without benefit of any additional information that might come from the hearing. Therefore, the Committee makes no formal recommendation at this time, but does provide the following comments regarding Herzing's application:

- As specified in Nebraska Statutes, the role of the Commission is to consider the stability, financial soundness, responsibility, need and demand, and accreditation and other indicators of quality of the applying institution to determine if the institution should be allowed to offer programs in Nebraska.
- The focus of the Commission should be on determining whether statutory requirements are met and on assuring that a range of quality educational opportunities are available to the citizens of Nebraska. Local concerns about certain aspects of an institution's proposed plans (i.e., the availability of sufficient and appropriate clinical placements), which may or may not prove to present insurmountable obstacles, should not be allowed to foreclose the possibility of expanding those opportunities.
- If the Commission does approve the programs Herzing University has asked to offer in Lincoln, Nebraska, the Commission should stipulate that classes shall not be offered until the following conditions have been met:
  1. an adequate facility is obtained and a Commission staff member has visited the site;
  2. a director of the Lincoln campus and faculty for that campus are hired and vitae or information on their qualifications are provided to the Commission; and
  3. required regional approval is received and documentation supplied to the Commission.

Reporting requirements: Out-of-state institutions report annually to the Commission in response to a questionnaire sent each fall.

## **The Following Information Relates to Programs Withdrawn by the Institution It Was Removed from the Previous Staff and Committee Documents**

### **Programs: Omaha Campus**

Bachelor of Science in:

- Nursing

Associate of Science in:

- Physical Therapist Assistant
- Surgical Technology

### **A. Demonstrated Need and Demand for the Programs in the Area to be Served**

On a programmatic level, Herzing used [www.simplyhired.com](http://www.simplyhired.com) and [ihiretherapy.com](http://ihiretherapy.com) to support the need for additional physical therapist assistant graduates in the area. The search, conducted on March 9, 2010, revealed seven advertised openings in the Omaha area, 13 in Lincoln, two in Grand Island, and others in Seward, Columbus, Sidney, and Scottsbluff.

Herzing also cited the Nebraska Department of Labor's projections for employment trends for PTAs from 2006 to 2016. Those figures indicate a state-wide increase of 49% (from 423 to 630) and an entry level wage of \$16.18 per hour (\$22.48 for experienced personnel). The proposal supplemented this data with information from the *Bureau of Labor Statistics – Employment Outlook Handbook*. The *Handbook* projected a national increase of 35% from 2008 through 2018. Among factors cited that will result in an increased demand were: changes to restrictions on reimbursement for physical therapy services by third-party providers resulting in increased patient access; an increase in the number of elderly; and advanced medical technology that permits an increased number of trauma victims and newborns with birth defects to survive.

Commission staff consulted the Nebraska Department of Labor's Web site for estimated annual job openings in Omaha for some of the fields represented by the proposed programs.

- The department's highest estimates were for registered nurses (401 openings)
- There were no estimates for surgical technologists or physical therapist assistants, both deemed "fair," although both were considered "hot" on the state level.

### **B. Quality of Programs of Instruction to be Offered in the State**

The Bachelor of Science in Nursing program would be offered entirely on campus. For all other programs about half of the courses would be offered on campus and the other half online. Herzing reports that this maximizes the classroom space and provides more flexible scheduling for students.

Herzing states that the specialized approvals for nursing, physical therapist assistant, and surgical technology require the institution to prove that sufficient clinical sites have been secured to support the program before students can be admitted. The requirements for accreditation by the Commission on Accreditation in Physical Therapy Education (CAPTE) are summarized in Appendix 4 by Commission staff. The requirements for approval by the Nebraska Board of Nursing are summarized in Appendix 5. In each appendix references to clinical placement requirements are in red and items comparable to Commission review criteria are in blue. Underlined are the references to state level approval for the institution to operate or offer programs. Both entities require this authorization relatively early in the application process and prior to providing evidence of clinical placements.

Herzing contacted potential placement locations and received tentative clinical commitments from several. Herzing did not differentiate between Lincoln and Omaha programs since the placements are not only in those cities but in surrounding areas. The availability of clinical placements has become an issue of concern, accusations, and disagreements.

Some professions must meet state of Nebraska requirements for licensure. These include:

- Physical Therapist Assistant: The National Licensing Examination for Physical Therapist Assistants is required for certification as a physical therapist assistant in Nebraska. Nebraska statutes also require students to have graduated from a program accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association. (See Section H. for accreditation information.)
- Nursing: Only graduates of nursing programs approved by the Nebraska Department of Health and Human Services (Nebraska Board of Nursing) are eligible for licensure in Nebraska. Applicants for licensure must also pass either the National Council Licensure Examination for Practical Nurses or the National Council Licensure Examination for Registered Nurses.
- Other allied health: There are no state requirements for the other allied health professions that the proposed programs would serve.

## F. Financial Soundness & Ability to Fulfill Commitments to Students

The tuition rates per semester would be \$700 per credit hour for the nursing and PTA programs. This would make the total cost of tuition for the PTA program \$51,100 and \$84,000 for nursing.

Selected comparison tuition and fees (roughly estimated):

Program	Herzing	MCC	UNO	Kaplan	Creighton	Methodist	Clarkson
Nursing - BSN	\$84,000*				\$88,480	\$64,300*	\$58,375
PTA - Assoc	\$51,100*					\$36,790*	\$33,060

\*includes books

## H. Accreditation

Some of the proposed programs can or must seek programmatic accreditation by an entity recognized by the U.S. Department of Education.

- Physical therapist assistant: In Nebraska students must have graduated from a program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE). CAPTE has granted Initial Accreditation status to Herzing University for its physical therapist assistant program on its campus in Florida. Herzing states that they will seek CAPTE accreditation for the Lincoln program and will not matriculate students until candidacy status is achieved.
- Surgical technology: Programs in Nebraska do not have to be accredited although accreditation is available from the Commission on Accreditation of Allied Health Education Programs (CAAHEP) and the Accrediting Bureau of Health Education Schools (ABHES). Herzing has stated their intention to apply to ABHES for program accreditation.
- Nursing: The nursing program must be approved by the Nebraska Nursing Board (Department of Health and Human Services) before Herzing can matriculate students. The proposal states that intention. Nursing programs can also be accredited by the National League of Nursing or the Commission on Collegiate Nursing Education, but it is not required in Nebraska.

## Herzing University Proposed Programs for the Omaha Area

Omaha Area Institutions offering similar programs	BS Nursing	AS Physical Therapist Asst	AS Surgical Technology
Bellevue University			
Clarkson College	<b>XX</b>	<b>XX</b>	
College of St. Mary	<b>XX</b>		
Creative Center			
Creighton University	X		
Grace University	X		
ITT			
Kaplan University - Omaha			
Metropolitan Community College			
Nebraska Methodist College	<b>XX</b>	<b>XX</b>	<b>XX</b>
University of Nebraska at Omaha			
University of Nebraska Medical Ctr	<b>XX</b>		
University of Phoenix			
Vatterott College			

*Programs in bold (XX) hold accreditation from one of the programmatic accreditors listed in Section H.*

## Degree and Diploma Programs Proposed by Herzing University

### Bachelor of Science degrees:

Major (w/ minors and concentrations)	Total credit hours	General education hours	Hours in the major	Hours in minor/concentration	Elective Hours	Other requirements
Nursing	120	34	70*	14 nursg support		2 hrs personal development

\*Includes internship/externship (health care management) or clinicals and preceptorship (nursing)

### Associate of Science degrees:

Major	Total credit hours	General education hours	Hours in the major	Elective Hours	Other requirements
Physical Therapist Assistant	73	21	50*		2 hrs personal development
Surgical Technology	65	24	39*		2 hrs personal development

\*Includes internship/externship or clinical practicum (physical therapist assistant and surgical technology)

## Steps in the Candidacy Process for a Physical Therapist Assistant Program

(abridged from the Commission on Accreditation in Physical Therapy Education (CAPTE) Rules of Practice and Procedure Accreditation Handbook)

**NOTE:** Items in *Harlow Solid Italic font* correspond to CCPE review criteria. Items in Arial Black bold font refer to clinical placements.

1. Notification of new program development
  - The institution notifies the American Physical Therapy Association (APTA) that a full-time program administrator/director has been employed to develop the program (and a curriculum vitae is provided).
  - APTA reviews the vitae and provides the institution with the materials necessary for submission of the *Application for Candidacy*.
  
2. The program director and at least one higher administrator from the institution attend a mandatory workshop to learn about the candidacy process.
  
3. Submission of the *Application for Candidacy* (a report through which the institution provides information about their plans for development and implementation of the proposed program, such that it will meet the Evaluative Criteria for accreditation) accompanied by a non-refundable fee of \$12,000.  
*Applications must include the following (for a more complete list, see pages 3-7):*
  - A preface that describes the process and information used by the institution to determine the *need* for the program.
  - Evidence that the institution is an institution of higher education with degree granting authority.
  - Evidence of appropriate state approval to offer the program.
  - Evidence that the institution holds *accreditation* from an institutional accrediting agency recognized by the US Department of Education or the Council for Higher Education Accreditation.
  - Evidence that the institutional accrediting agency has approved the offering of the physical therapy education program.
  - Evidence that the institution has employed at least two full-time core *faculty* members, including the program director, one of whom must be a physical therapist.
  - Clear evidence, as reflected in a current curriculum vitae, that the program administrator/director possesses at least the following minimum qualifications: is a licensed physical therapist or a licensed, certified, or registered physical therapist assistant with an earned master's degree and five years of experience as a PT or PTA that includes clinical practice, didactic and/or clinical teaching, and experience in administration.
  - Evidence that the *curriculum* includes integrated and full-time terminal clinical experiences.

- Documentation of contractual access to sufficient clinical placements to meet the needs of the first full-time clinical experience and any experiences that may precede it. At a minimum, it is expected that there are sufficient clinical placements for at least 125% of the expected number of students to be enrolled during the first year.
4. APTA determines that the application is bona fide and is complete and the *Application for Candidacy* is reviewed and evaluated by a Candidacy Reviewer.
  5. The Candidacy Reviewer conducts a two-day visit to the program and submits a report of the visit. Once the timing of the visit is determined, the public is given opportunity to provide written testimony regarding the program.
  6. All relevant information is reviewed and the accreditation decision is made at the next regularly scheduled meeting of CAPTE following the on-site visit. (Candidate for Accreditation decisions are made four times per year.)
  7. Upon CAPTE's determination to grant a program Candidate for Accreditation status, students may be enrolled/matriculated into the program's first professional/technical courses.

**Steps in the Accreditation Process for a Physical Therapist Assistant Program  
(abridged from the CAPTE Rules of Practice and Procedure  
Accreditation Handbook)**

1. The institution achieves Candidate for Accreditation status.
2. The institution submits a self-study report compiled by the faculty following official instructions provided by APTA. (The self-study report is one of the major sources of substantiating information about an educational program in relation to the Evaluative Criteria for Accreditation.)
3. A three-day on-site visit is conducted by APTA early in the last term in which the charter class is enrolled.
4. CAPTE makes an accreditation status decision based on information from the self-study report materials, the visit report, information obtained during the course of the on-site visit, the response of the institution to the visit report, additional materials provided by the program, and eligible written third-party comments.

**Expectations for Candidacy Decisions**

**(82 items that must be in place prior to achieving candidacy)**

CAPTE makes Candidate for Accreditation decisions based on its determination that the program is making satisfactory progress toward compliance with the *Evaluative Criteria* as described in the following list of the **minimum** level of development expected.

CAPTE expects that the *Application for Candidacy* will include the following:

1. A preface that includes
  - a) a description of the process and information used by the institution to determine the need for the program;
  - b) a written statement of the plans for the number of students per class; and
  - c) a contingency plan for students if the physical therapist assistant program should fail to achieve candidate status or accreditation status.
2. Evidence that the institution
  - a) is authorized to provide post-secondary education;
  - b) is degree granting; and
  - c) has authority to offer the physical therapist assistant education program.
3. Evidence that the institution
  - a) is accredited by an agency recognized by USDE or CHEA; and
  - b) has approval from the institutional accreditor to offer the PTA program.
4. Identification of the degree to be awarded at completion of the program.
5. Documentation of institutional statements related to non-discrimination and equal opportunity.
6. Evidence of institutional policies related to academic standards and to faculty roles and workload that are/will be applied to the program in a manner that support both the academic and technical aspects of the physical therapist assistant education program.
7. Written policies and procedures related to the privacy and confidentiality of individuals associated with the program.
8. Written policies and procedures related to informed consent for individuals associated with the program.
9. Written policies and procedures related to the due process for individuals associated with the program.
10. Written policies and procedures related to complaints about the program that fall outside the realm of due process procedures.
11. Written policies and procedures related to the safety of individuals associated with the program when they are engaged in on-campus educational experiences.
12. Written policies and procedures related to the safety of individuals associated with the program when they are engaged in off-campus educational experiences.
13. Written policies and procedures related to student competence prior to clinical assignment.
14. Sample formats for assessing student competence that include identification of critical safety elements.
15. Evidence that the written agreements between the institution and the clinical facilities participating in clinical education assure the rights and safety of persons involved in this aspect of the education program.

16. Documentation of a plan to ensure assignment of students only to clinical facilities when properly executed and unexpired agreements are in place.
17. Documentation of a plan for on-going review of written agreements.
18. Documentation of mechanisms planned for program faculty to be involved in governance and in short and long-term planning for the program.
19. Documentation of policies and procedures to assure that accreditation responsibilities will be fulfilled.
20. A written program mission and philosophy that are consistent with those of the institution.
21. A written statement of program goals and objectives.
22. Evidence that program policies and procedures related to the rights, privileges and safety of individuals associated with the program are consistent with institutional policies.
23. Documentation of the plan to coordinate the efforts of, and communicate with, other departments and individuals directly involved with the program.
24. Documentation of the rights and privileges of the PTA faculty.
25. Description of how the PTA faculty's rights and privileges are/will be commensurate with those of other faculty in the institution.
26. Documentation of the planned rights and privileges of clinical education faculty.
27. Documentation of the plans for informing clinical education faculty of their rights and privileges.
28. A written plan for instituting a development program for academic faculty that is derived from faculty evaluation results and that meets both programmatic and individual needs.
29. A written plan for instituting a faculty development program for clinical faculty that is derived from faculty evaluation results and that meets both programmatic and individual needs.
30. Evidence of established policies and procedures specific to the physical therapist assistant education program related to student recruitment and admission.
31. A written plan for provision of relevant information about the program to prospective and enrolled students.
32. Copies of information provided to prospective/enrolled students.
33. Evidence of policies and procedures specific to the physical therapist assistant education program related to student retention.
34. Plans for dissemination of student retention policies and procedures to students.
35. A description of the types of students the program expects to admit and graduate.
36. Evidence that the institution employs at least two qualified full-time core faculty, at least one of whom is a physical therapist, including the program director.
37. A written plan to hire additional program faculty as needed and reflective of the variety of faculty responsibilities delineated in the criteria and in keeping with institutional expectations for faculty teaching/workloads.
38. Evidence that the employed faculty are qualified by education and experience to fulfill assigned responsibilities.

39. Clear evidence, as reflected in a current curriculum vitae and the relevant narrative, that the program director possesses at least the following minimum qualifications:
  - a) is a licensed physical therapist or a licensed, certified or registered physical therapist assistant;
  - b) holds an earned master's degree; and
  - c) has five years of experience as a PT or PTA that includes clinical practice, didactic and/or clinical teaching, and experience in administration.
40. A description of the program director's knowledge and skill in the other areas of expected qualifications:
  - a) educational theory and methodology (curricular design, development, implementation and evaluation);
  - b) instructional design and methodology;
  - c) student evaluation; and
  - d) outcomes assessment.  
If not currently met, a written plan for development of the expected knowledge and skill.
41. If the ACCE is among the employed core faculty, a statement describing who is acting in that capacity.
42. If the ACCE is not among the employed core faculty, identification of who will be responsible for the development of the clinical education program until the ACCE is hired and a plan for hiring the ACCE including a timeline, job description, and the expected qualifications of the individual.
43. Documentation of the projected composition and qualifications of the entire core faculty necessary for full implementation of the program, reflective of the variety of faculty responsibilities delineated in the criteria, and in keeping with the institution's expectations for faculty qualifications.
44. Documentation of a plan to determine that the clinical education faculty have clinical expertise and are effective clinical teachers.
45. Evidence of the qualifications of the clinical education faculty identified to date.
46. Evidence of financial aid services that will be available to enrolled students.
47. Evidence of counseling and testing services that will be available to enrolled students.
48. Documentation of the plan to provide students with formative and summative reports of their performance.
49. A projected budget, covering the full implementation of the program that reflects adequate financial resources to meet the increasing demands on the program as additional faculty, staff, and students are involved in the program.
50. Evidence of adequate administrative and technical support staff to meet the needs of the program during its implementation.
51. Evidence of sufficient learning resources for student use during the first half of the technical phase of the program.
52. A written plan, with timelines, for acquiring additional learning resources needed by students as they progress through the program.
53. Evidence of sufficient instructional technology for use during the first half of the technical phase of the program.

54. A written plan with timelines for acquiring additional instructional technology as needed for the second half of the technical phase of the program.
55. Documentation of identified classroom space, dedicated laboratory space, storage space, dressing/locker rooms, etc. that are sufficient to meet the needs of the fully implemented program.
56. Documentation of the plan for occupancy of the space upon matriculation of students into the program.
57. Documentation of identified faculty and staff offices, etc. that are sufficient to meet the needs of the fully implemented program.
58. Documentation of the plan for occupancy of the space upon employment of the faculty and staff.
59. Documentation of contractual access to sufficient clinical placements to meet the needs of the first full-time clinical experience and any experiences that may precede it. At a minimum, it is expected that there are clinical placements for at least 125% of the expected number of students to be enrolled during the first year (e.g., if there will be a total of 40 students enrolled during the first year, the program is expected to have signed contracts with enough facilities to provide at least 50 full-time experiences, with sufficient variety to meet the objectives of the clinical education experiences in the first year of the technical program).
60. A written plan for obtaining sufficient additional clinical education sites/placements with the appropriate variety to meet student and program needs.
61. Evidence that the equipment and supplies needed for the first half of the technical program have been acquired or are on order. If the equipment and supplies are on order, evidence that they are scheduled to be delivered and installed prior to matriculation of students into the program.
62. A written plan, including timelines, for acquisition of equipment and supplies needed throughout the remainder of the program's implementation.
63. Documentation of the core faculty's responsibility for development of the curriculum plan and use of input from appropriate communities of interest in that process.
64. A comprehensive curriculum plan, documented in enough detail so that the extent to which the curriculum will lead to the desired outcomes can be identified.
65. A description of how the program faculty intend the curriculum to prepare students to work under the direction and supervision of physical therapists.
66. Documentation of the planned course of study, including general education, pre-requisites, and technical courses, that does not exceed 5 semesters (or the equivalent) in length.
67. Documentation of the content and organization of clinical education experiences as they relate to student achievement of competencies throughout the curriculum.
68. Statements of the program's expected student outcomes.
69. For the first 50% of the program's technical courses: complete syllabi that include: course title, description, specific objectives, specific content outline, instructional methods, textbooks and other learning resources, mechanisms for evaluation of student performance, instructor, and credit and clock hours.

70. For the remaining courses: syllabi that include: course title, description, general course objectives, basic content outline, and credit and clock hours. Other information as listed in the previous clause should be included if known. If the program is planned to have a “1+1” format, these syllabi should be as complete as is required for the first half of the program.
71. Course objectives in all syllabi written in the form of specific statements of what students will be able to do or demonstrate upon successful completion of each course.
72. Description of the types of instructional methodology planned for the curriculum.
73. Description of the methods to be used to measure student performance.
74. Documented mechanisms designed to ensure that each student will have practiced data collection and intervention methods under supervision in the classroom/laboratory prior to performing these methods in the clinic.
75. Documented mechanisms for identification of the levels of student competence, safety, and proficiency by the academic faculty and for communication of that information to the clinical education faculty as the student progresses through the curriculum.
76. Documentation of the required general education and/or prerequisite courses.
77. Description of how the required general education and prerequisite courses are expected to prepare the student to think independently, to clarify values, to understand fundamental theory, and to develop critical thinking and communication skills.
78. Documentation that specific content (listed elsewhere) will be included in the curriculum.
79. Documentation of the plan to provide clinical education experiences that are coordinated with content in the didactic curriculum.
80. Evidence that the curriculum includes integrated and full-time terminal clinical education experiences.
81. Documentation of criteria by which clinical education sites have been/will be chosen to meet current and future program needs.
82. A written plan (including planned sources of information, timelines, and methods for collection of information, and process for decision-making) for assessment of all aspects of the program, including
  - a) institutional policies and procedures;
  - b) program policies and procedures;
  - c) resources;
  - d) program mission, philosophy, goals and objectives;
  - e) curriculum;
  - f) clinical education program;
  - g) performance of recent graduates;
  - h) admissions process, criteria, and prerequisites;
  - i) program enrollment;
  - j) core faculty;
  - k) adjunct, supporting and clinical education faculty; and
  - l) clinical education faculty.

## Requirements for an Application to Conduct a Program in Registered or Practical Nursing

(abridged from Nebraska Health and Human Services Regulation and Licensure Rule 97)

**NOTE:** Items in *Harlow Solid Italic font* correspond to CCPE review criteria. Items in Arial Black bold font refer to clinical placements.

1. The institution employs a director at least 12 months prior to the anticipated opening of the program.
2. At least one qualified faculty member for each course is employed at least six months prior to the beginning of the course.
3. At least one year prior to the anticipated opening of the program, the institution submits a form that includes:
  - A description of the *need* for the program;
  - A description of the readiness that has been identified of the community to support the program;
  - A description of the *financial resources*;
  - A description of the *educational philosophy* of the institution;
  - A description of the *accreditation* status of the institution;
  - Identification of the source of authority for the institution to offer the program;
  - A description of the availability of *qualified faculty*;
  - A description of the availability of *qualified applicants*;
  - A description of the educational *facilities*;
  - A description of the provision for clinical resources;
  - A description of the general education and nursing content of the *curriculum*; and
  - A description of the tentative time table for planning and initiating the program.
4. The Board of Nursing verifies the data on the application and evaluates the feasibility of initiating the program.
5. At least six months prior to the anticipated opening of the program, the institution submits a form that includes:
  - A tentative time plan;
  - Philosophy and objectives of the program;
  - Provision of qualified faculty;
  - Organizational chart;
  - Course outlines and syllabi for the first year;
  - Listing of the clinical resources that will be used, copies of agreements with the cooperating agencies, and a Clinical Facility Statistical Report;
  - A recruitment plan and admissions requirements; and
  - Position descriptions for faculty.
6. The Board of Nursing makes a decision regarding initial approval.
7. Programs submit an annual report and are reevaluated every four years with a site visit.

### Herzing University Proposed Programs for the Omaha Area

Omaha Area Institutions offering similar programs	BS Business Admin	BS Computer Science	BS Criminal Justice	BS Graphic Design	BS Health Care Mgmt	AS Business Admin	AS Computer Networking	AS Computer Science	AS Criminal Justice	AS Graphic Design	Cisco Networking Diploma	Microsoft Networking Diploma	Network Systems Diploma
Bellevue University	X	X	X	X	X								
Clarkson College					X								
College of St. Mary	X												
Creative Center				X						X			
Creighton University	<b>XX</b>	X	X	X									
Grace University	X	X											
ITT		X					X	X	X				
Kaplan University - Omaha	X		X			X	X		X				
Metropolitan Community College						<b>XX</b>	X	X	X	X	X		
Nebraska Methodist College					X								
University of Nebraska at Omaha	<b>XX</b>	X											
University of Phoenix	<b>XX</b>				X								
Vatterott College							X			X			

*Programs in bold (XX) hold accreditation from one of the programmatic accreditors listed in Section H.*

## APPENDIX 2

### Degree and Diploma Programs Proposed by Herzing University

Bachelor of Science degrees:

Major (w/ minors and concentrations)	Total credit hours	General education hours	Hours in the major	Hours in minor/concentration	Elective Hours	Other requirements
Business Administration	124	37	44	no minor	37	4 hrs senior project or internship 2 hrs personal development
w/ a minor in:						
- accounting				22	15	
-business management				25	12	
Computer Science w/ a concentration in:						
-software engineering	138	37	19	36	12 in CS + 28	4 hrs senior project or internship 2 hrs personal development
- computer networking & security technology	134	37	19	36	12 in CS + 24	4 hrs senior project or internship 2 hrs personal development
Criminal Justice						
Criminal Justice	125	37	54	no minor	28	4 hrs senior project or internship 2 hrs personal development
w/ a concentration in:						
-homeland security				13	15	
Graphic Design						
Graphic Design	124	37	66	no minor	15	4 hrs senior project or internship 2 hrs personal development
Health Care Management						
Health Care Management	129	37	33 Bus	9 HC Mgt		minimum of 45 hrs from a related associate degree*

\*Includes internship/externship (health care management)

## APPENDIX 2

Associate of Science degrees:

Major	Total credit hours	General education hours	Hours in the major	Elective Hours	Other requirements
Business Administration	71	21	41	7*	2 hrs personal development
Computer Networking and Security Technology	79	21	28	28*	2 hrs personal development
Computer Science	78	21	32	23*	2 hrs personal development
Criminal Justice	60	21	31	6*	2 hrs personal development
Graphic Design	67	21	36	8*	2 hrs personal development
# Medical Assisting	65	21	42*		2 hrs personal development
# Medical Billing and Insurance Coding	65	21	39*	3	2 hrs personal development

# Approved for the Omaha School of Massage and Healthcare of Herzing University by the Coordinating Commission for Postsecondary Education on October 22, 2009.

\*Includes internship/externship

## APPENDIX 2

Diplomas:

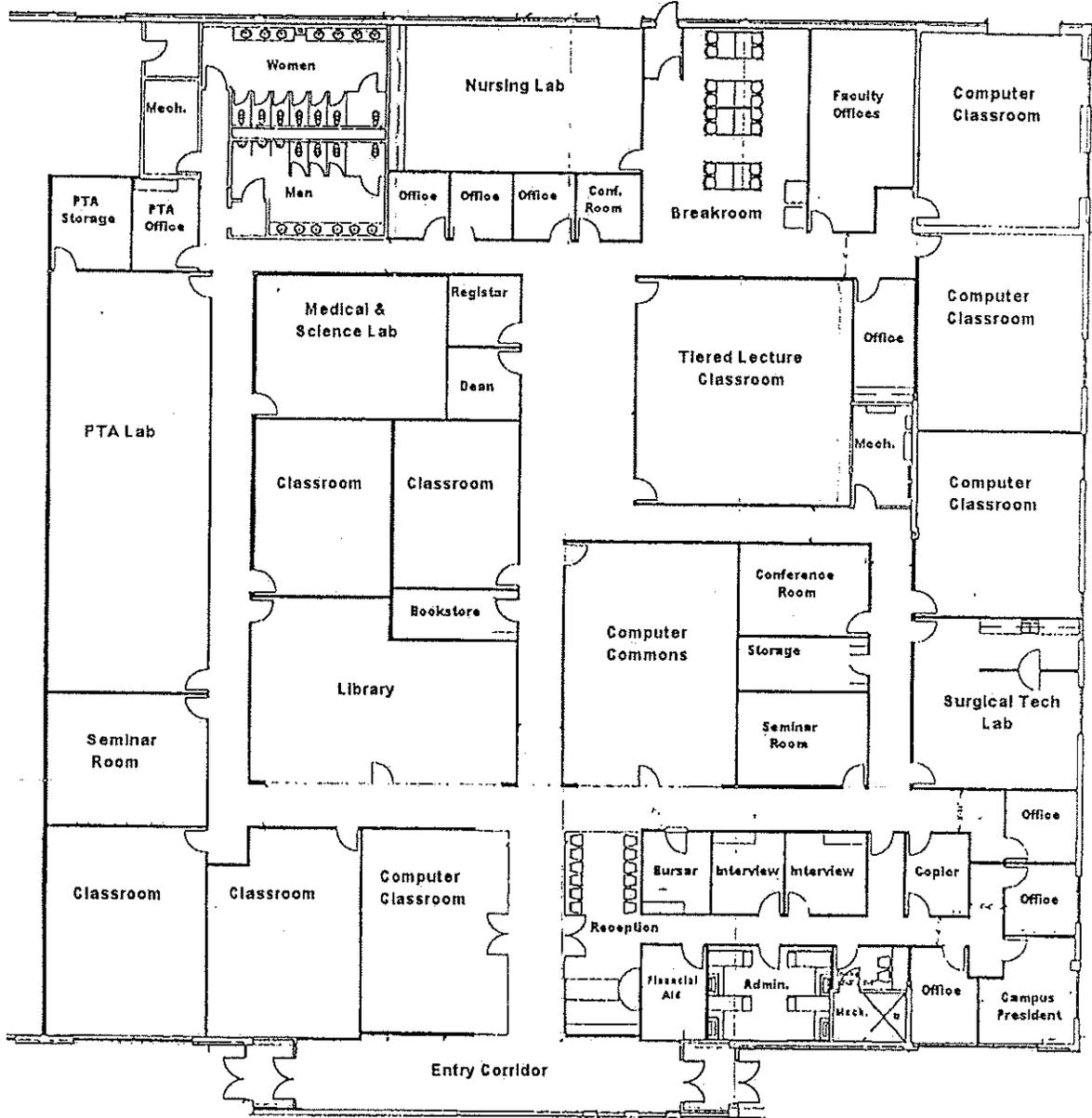
Major	Total credit hours	Hours in the major	Other requirements
Cisco Networking	16		
Microsoft Networking	24		
Network Systems	32		
# Medical Assisting	48	46*	2 hrs personal development
# Medical Billing and Insurance Coding	45	43*	2 hrs personal development

# Previously approved by the Nebraska Department of Education for the Omaha School of Massage and Healthcare of Herzing University.

\*Includes internship/externship

# APPENDIX 3

## Typical Herzing University Campus Building Layout



## APPENDIX 4

(Letters received at CCPE)

May 12, 2010

Dr. Marshall Hill  
Executive Director  
Coordinating Commission for  
Postsecondary Education  
140 N. 8<sup>th</sup> Street, Suite 300  
Lincoln, NE 68509

**RECEIVED**

MAY 12 2010

**Coordinating Commission  
for Postsecondary Ed.**

Dear Dr. Hill:

We, the academic officers of the University of Nebraska system, request that the Coordinating Commission defer a decision on the proposal by Herzing University of Milwaukee, Wisconsin to begin offering new programs in Lincoln and Omaha until such time as Herzing University is able to provide fuller clarification and evidence regarding several issues of concern about its proposed degrees and programs.

Specifically, we recommend that Herzing be asked to provide further evidence about the following:

1. the content and quality of the specific programs/degrees it plans to offer in Omaha and Lincoln;
2. the qualifications of faculty hired to teach in the new programs it plans to offer in Omaha and Lincoln;
3. clearer information about the percentage of these programs that are likely to be offered wholly or partly online;
4. likelihood that students who complete Herzing's relevant courses of study will be sufficiently prepared to meet licensing requirements (e.g. pass rates for Herzing students who have taken the national licensing exams for practical and registered nurses);
5. ability to meet fully the appropriate accreditation requirements for relevant fields (e.g. Commission on Accreditation in Physical Therapy Education). Currently, Herzing's physical education program offered out of Orlando, Florida has been named a candidate for accreditation but has not been awarded CAPTE accreditation;
6. specific program tuition costs communicated more fully and transparently (e.g. on the Herzing University website).

According to the website of the Higher Learning Commission, the regional accrediting agency for Herzing University, Herzing is scheduled to provide a monitoring report to the HLC by June 30, 2011 regarding the integrity of its public information and learning outcomes assessment. We recommend that the CCPE postpone considering the Herzing proposals to offer additional degrees in Nebraska until after receiving responses to the above concerns and after receiving a copy of the monitoring report and related materials due to the HLC by June 30, 2011.

University of Nebraska  
May 12, 2010  
Page 2

We believe our request for postponement is consistent with concerns expressed to the CCPE in its Committee recommendations. The distinction our request makes is that the CCPE not make a decision to approve Herzing's proposals to offer degrees on a conditional basis, but that the CCPE postpone any decision until after Herzing has provided sufficient evidence that it has met the concerns expressed by the CCPE recommending Committee and the concerns expressed above.

Sincerely,

Terry Hynes  
Senior Vice Chancellor for Academic and Student Affairs  
University of Nebraska at Omaha

Ellen Weissinger  
Interim Senior Vice Chancellor for Academic Affairs  
University of Nebraska-Lincoln

Rubens Pamies  
Vice Chancellor for Academic Affairs  
University of Nebraska Medical Center

Charles Bicak  
Senior Vice Chancellor for Academic and Student Affairs  
University of Nebraska at Kearney

Linda Ray Pratt  
Executive Vice President and Provost  
University of Nebraska

c: CCPE Commissioners  
Dr. Joyce D. Simmons, Chair  
Dr. Ronald Hunter, Vice-Chair  
Riko E. Bishop  
Dr. Dick C.E. Davis  
John Winkleblack  
William "Scott" Wilson  
Colleen A. Adam  
Clark W. Anderson  
Mary Lauritzen  
Eric Seacrest  
Carol A. Zink

## Fimple, Kathleen

---

**From:** Jack J Huck [jhuck@SOUTHEAST.EDU]  
**Sent:** Friday, May 14, 2010 9:38 AM  
**To:** Hill, Marshall; Fimple, Kathleen  
**Subject:** Clinical Education follow up

As I reviewed the findings regarding the Herzing proposal I noted that the only Lincoln clinical affiliations cited for the Lincoln proposal were at St. Elizabeth and included 8 nursing slots and 1 PTA slot. It was interesting that the responsible person from St. Elizabeth was quoted in the paper this morning expressing concern about the crowd that already exists.

It would seem that the Herzing folks are relying heavily on clinical availability in Omaha through the Alegent system which would lead me to believe they are planning on sending their Lincoln students to Omaha (and Council Bluffs and Avoca Iowa) for clinical. If the availability they cite in those locations is real, I would respectfully suggest that their proposed program offerings in Nursing, PTA and Surgical Tech be restricted to their Omaha location.

I remain concerned about the finite number of slots available in Lincoln and the impact of adding additional competition for those slots. As you know the idea of relieving the pressure by expanding to the rural hospitals is not realistic because those rural hospitals do not have the frequency and type of experience on a day to day basis that supports the necessary clinical content. I can say this to you with sound knowledge as I serve on the Board of both the Crete Area Medical Center (an outstanding rural hospital) and the BryanLGH System in Lincoln and I am familiar with the level of care provided in both settings. In addition the LPN programs we offer in Geneva and Falls City give us significant knowledge about clinical availability in rural settings.

I also want to emphasize my appreciation to both of you and the Commission for your past and continuing support of our Health Science programs and your occasional prodding to increase our level of service. We have listened to you and we have done so very successfully. The impactful side of the Herzing consideration for us is that any time one of the existing clinical slots disappears we must reduce class size and head in the opposite direction we both value. Thus, my reason for suggesting to you that they perhaps consider offering the health programs in the locations only where they will not detract from clinical availability for others.

Thanks for the opportunity to share my thoughts with you.

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## Fimple, Kathleen

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**From:** Hill, Marshall  
**Sent:** Friday, June 04, 2010 8:13 AM  
**To:** Fimple, Kathleen  
**Subject:** FW: NLN Releases New Data

Let's add this to the "letters received" re. Herzing.

Marshall

---

**From:** Jack J Huck [mailto:jhuck@SOUTHEAST.EDU]  
**Sent:** Tuesday, May 18, 2010 8:04 AM  
**To:** Hill, Marshall; Fimple, Kathleen; Pfeil, Carna  
**Subject:** FW: NLN Releases New Data

An article that may be of interest to you during your deliberations.

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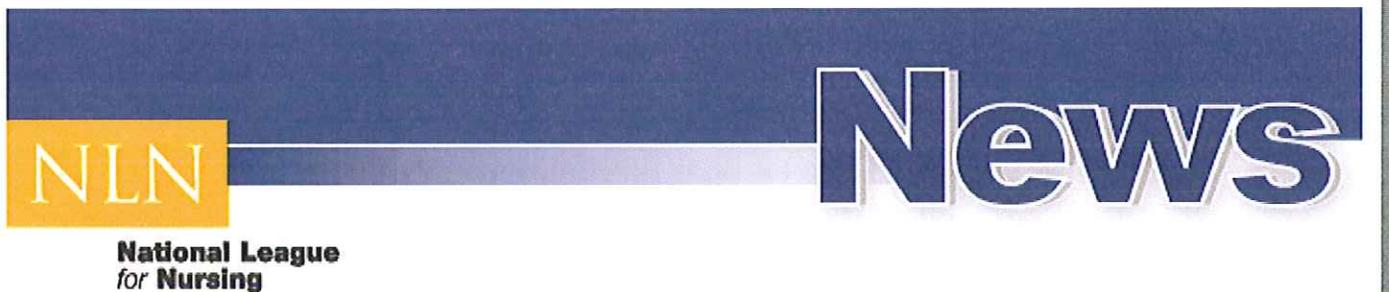
**From:** Karen A Stevens  
**Sent:** Monday, May 17, 2010 9:25 AM  
**To:** Jack J Huck  
**Subject:** FW: NLN Releases New Data

I read the article in the Journal Star about Herzing College and your response. Here is an article from NLL that may also shed some light on the shortage of clinical sites and nursing faculty. Thank you for supporting our nursing programs in Nebraska.

Karen A Stevens  
Practical Nursing  
Southeast Community College  
4771 West Scott Road  
Beatrice NE 68310  
kstevens@southeast.edu

---

**From:** NLN Communications [mailto:communications@nlm.org]  
**Sent:** Friday, May 14, 2010 10:47 AM  
**To:** Karen A Stevens  
**Subject:** NLN Releases New Data



**FOR IMMEDIATE RELEASE**

**Press Contact:** Karen R. Klestzick  
212-812-0376; [kklestzick@nlm.org](mailto:kklestzick@nlm.org)

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## FINDINGS FROM LATEST NLN ANNUAL SURVEY OF SCHOOLS OF NURSING ADMINISTERED OCTOBER THROUGH DECEMBER 2009 CONFIRM REPORTED TRENDS

### Faculty Shortage and Lack of Clinical Placements Impede Expansion Minority Enrollment Moves Upward

**New York, NY — May 13, 2010** — NLN research findings on the 2008-2009 academic year indicate that the capacity of the nation's nursing education programs continued to fall short of demand as a weakened economy nearly halted expansion.

"For the second year in a row," explained NLN CEO Dr. Beverly Malone, "the nation saw almost no growth in the number of prelicensure nursing programs. In 2008-2009, the number of diploma programs remained stable at 69, and ADN and BSN programs showed only tiny net gains: eight for ADN programs and two for BSN programs."

Almost 40 percent of all qualified applications to basic RN programs were turned away in 2008-2009. ADN programs — concentrated in public institutions, which see applications rise more sharply during recessions — rejected 45 percent of qualified applications, while BSN and diploma programs denied admission to 28 and 23 percent of qualified applications, respectively.

However, the likelihood of qualified candidates being denied entrance was notably lower for postlicensure programs. Doctoral and master's programs turned away 18 and 13 percent of qualified applications, respectively, and BS-RN programs declined admission to a mere 3 percent of those who were qualified.

Adding to the evidence of overstretched capacity is the extraordinarily high percentage of accepted candidates who matriculate (known as the yield rate) in nursing education programs: nursing programs typically enroll almost double the percentage of four-year colleges and universities in the United States; the yield rate among prelicensure RN programs climbed for the fourth consecutive year to a near-term high of 88 percent in 2008-2009. ADN programs enrolled a stunning 95 percent of those who were accepted. Similar rates are seen in nursing across all program types, with LPN/LVN programs also showing yield rates averaging 94 percent.

And while a lack of clinical practice settings continues to be a major issue for prelicensure programs — cited by 42 percent of ADN programs, 32 percent of BSN programs, and 38 percent of LPN nursing programs — there was a notable increase in the percentage of programs across all program types that reported that the faculty shortage was the obstacle to expansion this year.

"We were pleased to note," said NLN president Dr. Cathleen Shultz, "that after a period of slow growth, the percentage of minority students enrolled in basic RN programs showed a very healthy increase in 2008-2009." While all racial-ethnic categories experienced a bump, Hispanics, who represent 12 percent of all four-year college students, remain the most underrepresented of all minorities in nursing education, comprising only 7 percent of students in RN programs. And the percentage of men enrolled in basic nursing programs reached a high in 2008-2009 at 13.8 percent. The presence of male students in nursing programs has varied considerably over the past three decades. The last three US economic recessions (of the late 1980s, early 2000s, and 2008) appeared to spur men to enter nursing programs in larger numbers, after which their ranks continued to creep upward for several years. However those gains were lost during the last two postrecessionary periods as labor market conditions shifted and men sought employment opportunities elsewhere.

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Visit NLN DataViewT at [www.nln.org/research/slides](http://www.nln.org/research/slides) for a comprehensive set of tables and figures in a variety of easy-to-use electronic formats and for the Executive Summary.

Editors and reporters: For interview opportunities, please contact NLN chief communications officer, Karen R. Klestzick, at 212-812-0376 or [kklestzick@nln.org](mailto:kklestzick@nln.org).

*Dedicated to excellence in nursing, the National League for Nursing is the premier organization for nurse faculty and leaders in nursing education. The NLN offers faculty development, networking opportunities, testing services, nursing research grants, and public policy initiatives to its 31,000 individual and 1,200 institutional members who represent nursing programs across the academic spectrum.*

61 Broadway □ New York, NY 10006 □ 800-669-1656 □ [www.nln.org](http://www.nln.org)

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RECEIVED

MAY 26 2010

Coordinating Commission  
for Postsecondary Ed.



May 24, 2010

Dr. Marshall Hill, Executive Director  
Coordinating Commission for Postsecondary Education  
PO Box 95005  
Lincoln, NE 68509

Dear Dr. Hill:

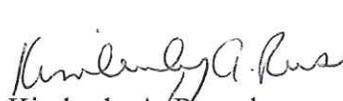
As President/CEO of BryanLGH Health System, President/COO and Vice President, Patient Care Services/CNO of BryanLGH Medical Center, we would like to express our opposition to and concern for allowing Herzing University of Milwaukee, WI to offer degrees at a campus in Lincoln, NE.

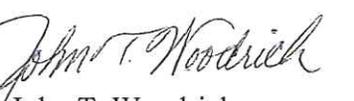
BryanLGH College of Health Sciences has made a significant investment in the future of healthcare education and the region in building new facilities for the College. In addition, the College has successfully applied for and received accreditation to offer Bachelor's degrees in the areas of Nursing, and starting in spring 2011, Allied Health/Health Professions. It is important to support the local colleges and universities that have established high quality academics, adhere to selective admissions standards, and promote lifelong learning within a non-profit, healthcare context. To allow Herzing University to open a campus in Lincoln would undermine our ability to offer this high quality healthcare education at the lowest possible cost to our students.

Finally, the public and private colleges and universities of Nebraska have worked cooperatively and proactively to secure clinical sites for their programs at healthcare facilities across the state. This has been an onerous but rewarding process for our locally owned and governed institutions of higher learning, and it is dependent on goodwill among all of our institutions. The incursion of Herzing University into the clinical sites in Nebraska would disrupt this health partnership and threaten the efficacy of clinical education for our existing institutions.

Thank you for your consideration in this matter.

Sincerely,

  
Kimberly A. Russel  
President and CEO  
BryanLGH Health System

  
John T. Woodrich  
President and COO  
BryanLGH Medical Center

  
Kathy Campbell  
Vice President/CNO  
BryanLGH Medical Center



May 25, 2010

**RECEIVED**

MAY 27 2010

Dr. Marshall Hill, Executive Director  
Nebraska Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509

**Coordinating Commission  
for Postsecondary Ed.**

Dear Dr. Hill:

As the Presidents of BryanLGH College of Health Sciences, Clarkson College, and Nebraska Methodist College, we are writing to issue our opposition to Herzing University's application to offer degrees and diplomas in the Health Sciences. Our opposition to this application stems specifically from our combined commitment to providing excellent clinical education to the future healthcare providers of Nebraska.

BryanLGH College of Health Sciences, Clarkson College, and Nebraska Methodist College enjoy a collaborative relationship that fosters dialogue among our institutions and provides for unique programming and services to our students in Omaha and Lincoln. Over many decades, our three institutions have also worked cooperatively to ensure that students would have access to a range of clinical sites and experience the full continuum of patient care.

Our three institutions also participate in a larger clinical coordination process that includes all public and private institutions in Nebraska. Through this process, faculty work together to maximize the finite number of clinical opportunities in the state, thereby supporting and enriching Health Science curricula available to students. Allowing Herzing University to offer Nursing and Allied Health degrees in Lincoln and Omaha would disrupt this ongoing partnership and weaken clinical education in Nebraska.

BryanLGH, Clarkson, and Nebraska Methodist take pride in offering affordable, high quality educational options for students. Although we are private, accredited, non-profit colleges, our tuition and fees are among the lowest in the state. Students graduate from our respective institutions with a much lower burden of debt than they would accrue as students earning degrees at Herzing University. To be able to educate outstanding clinicians who can think critically, respond effectively to patients' needs, and demonstrate good citizenship is our shared goal. That we are able to achieve this goal while offering students reasonable tuition and good scholarship support underscores our commitment to creating meaningful pathways for Nebraska's students seeking an outstanding collegiate education.

Finally, our three institutions share concern about the integrity of Herzing University's application to offer these degrees. While the application states that Herzing University has secured clinical sites at Nebraska Methodist Hospital, we can affirm that this claim is false. Moreover, we have learned that Herzing's claim that up to 16 students would find clinical placement at Alegent Health System in Omaha is also erroneous, as Alegent confirms that no more than one student per semester will be permitted to complete clinical rotations. The inconsistencies between Herzing's application and the reality of its circumstances would indicate that this institution is invested in expanding its reach and bolstering its finances—and is not committed to furthering quality higher education in Nebraska.

As the three private, non-profit Health Science institutions of higher learning in Nebraska, we urge the Nebraska Coordinating Commission on Postsecondary Education to recognize Herzing University's application to offer Health Science degrees as a threat to affordable, high quality, and comprehensive clinical education in our state. We exhort you to deny Herzing's application to expand its programs in our state.

Sincerely,



Dr. Lou Burgher, President  
Clarkson College



Dr. Dennis Joslin, President  
Nebraska Methodist College



Dr. Elizabeth MacLeod Walls, President  
BryanLGH College of Health Sciences



BryanLGH  
COLLEGE of HEALTH SCIENCES

5035 Everett • Lincoln, NE 68506-1398

**RECEIVED**

MAY 28 2010

**Coordinating Commission  
for Postsecondary Ed.**

May 26, 2010

Dr. Marshall Hill, Executive Director  
Nebraska Coordinating Commission for Postsecondary Education  
P. O. Box 95005  
Lincoln, Ne 68509

Dear Dr. Hill:

As Dean of Nursing at BryanLGH College of Health Sciences, I am writing to voice my concern regarding the Herzing University application which includes offering baccalaureate nursing programs in Nebraska.

BryanLGH College of Health Sciences is a non-profit college with a School of Nursing. The School of Nursing offers the Baccalaureate Degree in Nursing as well as the RN-BSN completion option for registered nurses educated at the diploma or associate degree level. An ongoing challenge to nursing programs in the Omaha and Lincoln area is to obtain adequate types and numbers of clinical experiences for its nursing students. In Lincoln, all nursing programs work in a collaborative manner through a Clinical Coordinating Council. Members of area nursing programs and area health facilities participate in this coordination process to maximize use of facilities. Members of this group, both on the education and the provider side can speak to the tightness of clinical site availability. Clinical placements are particularly problematic for the specialty areas of practice including obstetrics, pediatrics, critical care nursing and emergency nursing.

As a program with a mission of development of clinical competence and academic excellence in its graduates, the clinical component of our education is paramount. The addition of more nursing programs of study can compromise the clinical experiences of existing programs while also placing increased burden on clinical facilities.

SCHOOL OF NURSING • SCHOOL OF ALLIED HEALTH  
SCHOOL OF NURSE ANESTHESIA  
RESEARCH AND PROFESSIONAL PRACTICE CENTER

Please consider the impact that the addition of another baccalaureate nursing program in the state will have on the existing programs that have been in place to educate nurses to serve our publics.

Thank you.

A handwritten signature in black ink that reads "Dr. Kay Maize". The signature is written in a cursive, flowing style.

Kay Maize, RN, MS, MSN, Ed.D.  
Dean of Nursing

PO Box 3777 Omaha, NE 68103-0777  
www.mccneb.edu



**METROPOLITAN**  
COMMUNITY COLLEGE

May 29, 2010

**RECEIVED**

JUN 01 2010

**Coordinating Commission  
for Postsecondary Ed.**

Dr. Marshall Hill  
Executive Director  
Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509-5005

Dear Dr. Hill:

For the public hearing to be conducted on June 10, 2010 to receive public testimony concerning the request by Herzing University of Milwaukee, WI to offer the Bachelor of Science degree in Nursing in Lincoln and Omaha, Metropolitan Community College is submitting the attached statement prepared by Dr. Stacey Ocander, MCC Dean of Health and Public Services. As you will see in the statement, Metropolitan Community College opposes the Herzing request based on the availability of clinical spots and the availability of qualified clinical and classroom faculty.

In accordance with the Notice of Public Hearing issued by the Commission on May 18, 2010, please have our written comments read and made a part of the record at the time of the hearing.

Respectfully yours,



David K. Ho  
Vice President for Academic Affairs  
Metropolitan Community College  
P.O. Box 3777  
Omaha, NE 68103-0777  
(402) 457-2716

The process for securing clinical spots for all levels of nursing programs within the Omaha Metro area is clear and consistent with published guidelines provided to all academic institutions seeking placement of students. On an annual basis, MCC seeks to find quality placement for approximately 204 nursing students.

During the past 2 years we have experienced the following in regards to **clinical spots**:

- Decreased availability of clinical spots due to renovation at hospitals or reorganization
- Decreased availability of clinical spots due to low census
- Going to a split clinical structure where students are doing rotations in 4, 6, 8, and 12 hour rotations on daily, evening, and weekend timeframes
- Inability of hospitals to host first year students during the Magnet process and increase in acuity of patient care
- Unable to find quality mental health rotations due to limited mental health facilities in the Omaha Metro area
- Need to undergo a multi-million dollar renovation in the nursing area to provide more observation and clinical exposure within the academic laboratory setting due to decreased clinical spot availability

During the past 2 years we have experienced the following in regards to **qualified clinical and classroom faculty**:

- Conducted 4 faculty searches which averaged 2 applicants per search
- Observed a 'revolving door' of nursing faculty in proprietary schools with no longevity of directors

General opinion of Deans and Directors regarding the clinical assignment process as shared at Nebraska Deans and Directors meeting:

- If more qualified faculty and clinical spots were available, schools currently approved to offer nursing in Nebraska would increase capacity
- The opening of new hospitals in the Omaha Metro area does not necessarily reap immediate increase in clinical spots for students as most organizations opt to operate for 1-2 calendar years prior to hosting students in their facilities as experienced with *Lasting Hope, Lakeside Hospital, and Bergen Mercy Maternity Center*
- The process for securing clinical spots through the Alegent Health Systems and Childrens Hospital and Medical Center are very clear, objective, and collegial
  - Notices for requests are sent out twice annually
  - Academic institutions request spots for the year
  - A face to face meeting is held and open to Deans and Directors of Nursing Programs with the purpose of negotiation between schools and strategic planning to meet the needs of **existing nursing programs**

- During the past 4 years there has not been a time when all schools were awarded each request and thus the **existing nursing programs** have had to cap enrollment until such time capacity within the healthcare settings can be increased

**Professional Statement:**

As the Dean of Health and Public Services at Metropolitan Community College and a member of the Nebraska Nursing Deans and Directors, Nebraska Wesleyan Nursing Advisory Board, Graduate faculty mentor, and a professional with over fifteen years of experience in the medical field, it is my professional opinion that the approval of an additional academic institution offering nursing and allied health programs will weaken an already overly impacted clinical system.

Although the media continues to exploit the need for nurses and an expected shortage, it is not due to the lack of academic institutions offering quality nursing programs. It is a direct reflection of capacity of healthcare systems to provide for quality clinical spaces and qualified, experienced nursing faculty. The nursing profession as a whole, as well as the administration in healthcare amongst academic institutions and healthcare systems is strategically planning how to address these issues. The solution of adding another nursing program is NOT part of the solution, but rather, an additional splintering of the infrastructure of nursing programs and the clinical request process. As clinical spots increase, Masters prepared nurses graduate, and diversity amongst clinical options arise, current academic institutions WILL increase capacity and continue to have a positive impact on the impending healthcare worker shortage.

Sincerely,

Stacey Ocander, EdD

Dean, Health and Public Services

**RECEIVED**

JUN 01 2010

**Coordinating Commission  
for Postsecondary Ed.**

May 28, 2010

Dr. Marshall Hill  
Executive Director  
Nebraska Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509

Dear Dr. Hill:

Nebraska Wesleyan University, a liberal arts institution, has been involved in nursing education for decades in collaboration with clinical providers and colleges of nursing in Nebraska. Nebraska Wesleyan was one of the first four-year institutions in the state to provide a Bachelor of Science in Nursing degree, beginning in the 1980s, which enabled practicing registered nurses to complete the bachelor's degree in addition to their nursing diploma. In 2000, the Master of Science in Nursing program was established to enable these professionals to achieve a higher level of expertise and service to the health care needs of our state.

Throughout the development of these programs, the faculty of the Nursing Department at Nebraska Wesleyan have maintained strong relationships with health care providers who are at the heart of the clinical training portions of the bachelor's and master's programs. These relationships and the high reputation of Nebraska Wesleyan nursing students have led to placements despite a scarcity of opportunity.

As president of Nebraska Wesleyan University, I am writing to oppose the application of Herzing University to offer the bachelor's degree in nursing. As has been stated by Nebraska Wesleyan's institutional colleagues in nursing education—Clarkson College, Nebraska Methodist College, and Bryan LGH College of Health Sciences—our state is well served by the cooperation of these long-respected institutions and by the care they exhibit to ensure that the limited number of clinical opportunities in our state lead to the finest outcomes among program graduates.

Yours truly,



Frederik Ohles  
President

---

# Saint Elizabeth Sports & Physical Therapy

5/28/2010

Coordinating Commission for Postsecondary Education  
PO Box 95005  
Lincoln, NE 68509-5005

**RECEIVED**

JUN 01 2010

Coordinating Commission  
for Postsecondary Ed.

RE: Herzing University

Dear Commission Members,

It has come to my attention that Saint Elizabeth Regional Medical Center is listed as a clinical education site for physical therapist assistants on page 17 of the proposal submitted by Herzing University. My name, Jeff Weissert, is specifically listed as the contract for this clinical education site.

I have been in my role as director for 12 years, and I am solely responsible for clinical education agreements for both physical therapists and physical therapist assistants for Saint Elizabeth. During that time I have never been contacted by a representative of Herzing University, and we have never entered into an agreement with Herzing University to be a clinical education site. The application representing Saint Elizabeth as a clinical education site for physical therapist assistants is false and misleading.

We do presently take students from approximately 10 physical therapy and physical therapy assistant programs both locally and regionally. The requests from these programs for clinical slots are more than we can presently meet. We are considering ending our agreements with two regional programs outside of Nebraska because we can only take a limited number of students. Students require close supervision in order to meet clinical education requirements. We limit the number of students we take to insure quality and to avoid staff burn out. We cannot take more and maintain quality.

I find the Herzing University application disturbing due to the lack of integrity in representing Saint Elizabeth as a clinical education site. This is not consistent with the values required to educate medical professionals. I would encourage the Coordinating Commission for Postsecondary Education to confirm the validity of the clinical education sites listed on the proposal. I would also request the proposal be rejected.

Sincerely,



Jeff Weissert, PT

Director Saint Elizabeth Sports and Physical Therapy

May 28, 2010

Coordinating Commission for Post-secondary Education  
140 N. 8<sup>th</sup> Street, Suite 300  
Lincoln, NE 68508

I am writing in reference to a proposal advanced by Herzing University to establish a number of degree programs in Nebraska. In short, I do not support the addition of Herzing programs to the state's educational offerings, and am particularly concerned about the quality of criminal justice programming.

The educational background and academic credentials of the vast majority of Herzing University faculty are not commensurate with what is normally expected of faculty at a four year college or university. More specifically, faculty at four year institutions are typically required to hold a terminal degree in their area of study, which is frequently a doctorate. While Herzing does have some PhD level faculty, the majority of their faculty hold a masters (and in some cases a professional degree) as their highest degree, according to the full- and part-time faculty credentials articulated on pages 19-65 of their undergraduate catalog:

	# Faculty	PhD	Masters/Professional	Baccalaureate
Akron	44	0	32	8
Birmingham	26	0	20	6
Brookfield	2	1	0	1
Kenosha	10	4	5	1
Madison	40	0	40	0
Minneapolis	26	4	13	8 <sup>a</sup>
New Orleans	22	1	17	4
Omaha	13	0	8	5
Online	221	48	168	5
Orlando	30	5	20	5
Toledo	23	1	20	0 <sup>b</sup>

<sup>a</sup> The highest degree held by one faculty member is an Associates degree.

<sup>b</sup> The highest degree held by two faculty members is an Associates degree.

Not only do the credentials of Herzing faculty fall short in comparison to those of faculty at other four year institutions, their degrees are not always in the discipline in which they are teaching. For example, Herzing offers a baccalaureate degree in criminal justice at four of their campus locations (i.e., Atlanta, Brookfield, Kenosha, and Madison, see p.128 of the catalog), yet there are no faculty with criminal justice or related degrees at either the Brookfield or Kenosha campuses, and there is only one faculty member on both the Atlanta and Madison campuses with a criminal justice degree. The absence of doctoral level training coupled with a lack of a formal education in the subject area raises serious questions about the quality of education being provided to students. While relying on masters level faculty and practitioners to teach may be appropriate at the community college level, faculty at four year institutions are typically held to much more stringent requirements with regard to their educational achievements and degree areas. The educational level and background of the faculty is in fact one of the key factors that distinguishes four year institutions from community colleges.

An additional concern is that few Herzing administrators hold terminal or advanced degrees. While not all administrators have academic backgrounds, the lack of PhD level personnel seems particularly problematic when considering the presidents and academic deans for each campus.<sup>1</sup> Of the 12 campuses listed, only two institution presidents hold a doctorate, yet this position appears to be similar to that of the Chancellors in the NU system. Similarly, only three academic deans hold a doctorate, yet this position is similar to that held by the Senior Vice Chancellors in the NU system. Finally, while one member of the Herzing Executive Committee holds a doctorate, neither the President, Chancellor, nor person in charge of academics holds a doctorate. A doctorate is not in itself an indicator of ability to successfully lead an academic institution. However, it does imply a more comprehensive understanding of the academic enterprise and experience with all of its facets.

In addition to the more general concerns regarding Herzing's faculty and administrators, I would also like to note that it is doubtful that Herzing would expand the avenues available to Nebraskans for higher education in Criminal Justice. There are currently a number of degree programs in this area of study already offered in Nebraska that provide options for higher education to a variety of markets. More specifically, several schools in the state college and university system (i.e., UNO, UNL, UNK, Chadron State, Wayne State, and Peru State) currently offer baccalaureate degrees in Criminal Justice<sup>2</sup> that are widely accessible to persons interested in a four-year college degree. There are also a number of private institutions that offer the baccalaureate degree including Dana College, Doane College, Kaplan University, and Bellevue University. Several community colleges also offer Criminal Justice coursework and/or associates degrees (e.g., Metropolitan Community College, Southeast Community College, Midplains Community College, Iowa Western Community College, Northeast Community College, Western Community College, Central Community College). Many of these schools have articulation agreements in place to help students

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<sup>1</sup> The credentials of Herzing administrators are listed on pages 16-18 of the Undergraduate Catalog.

<sup>2</sup> UNO offers the Bachelor of Science in Criminology and Criminal Justice on both the Lincoln and Omaha campuses.

transfer community college courses into a four year program. Advanced degrees are also available in Nebraska through UNO, which offers the MA, MS, and PhD in Criminology and Criminal Justice. Finally, it is worth noting that in addition to "on campus" offerings, many of the four year and community college programs offer online programming to facilitate distance education.

Taken together, these issues raise serious concerns about Herzing University on a number of fronts. Perhaps of greatest concern are questions regarding the quality of education that Herzing would offer, given the lack of academic credentials of the faculty and administrators. It is also unclear how they would add value to the state's criminal justice programs, which already span the public and private sectors, associates and baccalaureate degrees at the undergraduate level, advanced degrees for professionals (MS) and academics (MA, PhD), and provide both on campus and distance education offerings.

If you have any questions or concerns, please contact me at (402) 554-4452 or [cbatton@unomaha.edu](mailto:cbatton@unomaha.edu).

Respectfully,

A handwritten signature in cursive script that reads "Candice Batton". The signature is written in black ink and is positioned above the typed name and title.

Candice Batton, PhD  
Director  
School of Criminology and Criminal Justice  
University of Nebraska at Omaha

## Fimple, Kathleen

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**From:** Mike Berlin [mikeberlin@excelpt.com]  
**Sent:** Tuesday, June 01, 2010 12:20 PM  
**To:** Hill, Marshall; Fimple, Kathleen  
**Cc:** Karst, Greg  
**Subject:** Herzing Universty proposal

I wanted to make sure you are aware that the inclusion of Excel Rehabilitation, Inc. (dba Excel Physical Therapy) as a clinical site for future Physical Therapy Assistant students in Herzing University's proposal is completely bogus. They have also listed one of my employees (Tom Flynn) as the contact person without his consent or permission .

We are not, and will not be a clinical education site for this program and I take great offense that they would include us without our knowledge, let alone consent.

This would make me quite concerned about the integrity of the programs they propose to offer.

Mike Berlin, PT

Owner

Excel Rehabilitation, Inc.

***Mike Berlin, PT***  
President/CEO

***Excel*** PHYSICAL THERAPY

**402-330-8433**

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## Fimple, Kathleen

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**From:** Hill, Marshall  
**Sent:** Wednesday, June 02, 2010 9:32 AM  
**To:** Fimple, Kathleen  
**Subject:** FW: Clinic Based Programs for Herzing University  
**Attachments:** Letter from Herzing University on Clinical Placements.pdf

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**From:** Getter, William [mailto:[getterw@herzing.edu](mailto:getterw@herzing.edu)]  
**Sent:** Tuesday, June 01, 2010 7:03 PM  
**To:** Hill, Marshall  
**Cc:** [rherzing@herzing.edu](mailto:rherzing@herzing.edu); Herzing, Henry  
**Subject:** Clinic Based Programs for Herzing University

**TO:** Marshall Hill  
Executive Director  
Coordinating Commission for Postsecondary Education

Dear Marshall,

In follow-up with your recent phone conversations with Chancellor Herzing, I'm writing today for three purposes.

- The first is to forward to you the attached letter that we hope will clear-up the confusion regarding clinical placements in regard to our applications for Lincoln and Omaha. Please let me know if you have any unresolved questions.
- Second, we would like to formally request that consideration of our application concerning the nursing, PTA, and surgical technology programs be deferred until such time as we are able to rebuild our clinical commitments. With all the consternation regarding these proposed programs, we are no longer sure of the level of commitment of some of the clinical sites. One particularly key system has backpedaled significantly in their commitment. We are confident that we can rebuild these relationships with time—but the time is not now.
- Third, we want to reaffirm our desire for the Commission to consider our application for the remaining programs for both proposed campuses.

Thank you for your support and the support of your staff through this rather trying process. It is truly appreciated.

Sincerely,  
Bill Getter

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**Dr. Bill Getter**  
Vice President of Academic Affairs  
Herzing University  
525 N. 6th Street  
Milwaukee, WI 53203  
E-mail: [getterw@herzing.edu](mailto:getterw@herzing.edu)  
Phone: 414 271-8103, Ext. 211  
Fax: 414 238-2765



**HERZING**  
UNIVERSITY

525 North 6th Street, Milwaukee, WI 53203  
P 414.271.8103 • F 414.271.1607 • www.herzing.edu

June 1, 2010

Dr. Marshall A. Hill  
Executive Director  
Coordinating Commission for Postsecondary Education  
P.O. Box 95005  
Lincoln, NE 68509-5005

Dear Dr. Hill:

Thank you for the opportunity to address the controversy regarding potential clinical placements in support of the programs being proposed by Herzing University in Lincoln and Omaha. Thank you for the opportunity to set the record straight.

To begin, it would be useful to review what the University has said to the Commission about clinicals. Below is an excerpt from our applications for Lincoln and Omaha addressing clinicals.

### **EXCERPT FROM HERZING UNIVERSITY APPLICATION**

#### **Clinical Support and Special Programmatic Approvals**

The proposed programs in *Nursing*, *Physical Therapist Assistant*, and *Surgical Technology* (*italicized*) will require clinical placements and programmatic approval/accreditation as follows:

- The *Nursing* program must be approved by the Nebraska Nursing Board before matriculating students.
- The *Physical Therapist Assistant* program will require candidacy status for accreditation by the Commission on Accreditation for Physical Therapy Education (CAPTE) before matriculating students.
- Similarly, *Surgical Technology* must obtain specialized accreditation to qualify the graduates to sit for the Certified Surgical Technologist examination. The campus will apply through Accrediting Bureau of Health Education Schools (ABHES) for this accreditation.

In all three cases, the specialized approval agency will require proof that sufficient clinical sites have been secured to support the program before students can be admitted. (In the case of CAPTE, the University will be required to provide documentation that 150% of the required clinical assignments have been secured.)

State approval is required before specialized accreditation/approval can be pursued. However, the specialized approval/accreditation process provides a “safety valve” for the Commission to ensure sufficient clinical placements have been secured prior to matriculation of students.

The University is not waiting for the specialized accreditation process to begin work on arranging clinical placements for future students however. As part of the preliminary analysis of the feasibility of these programs, the University Director of Nursing and

Healthcare Programs has worked with clinical sites to obtain tentative clinical commitments as outlined below.

- Attachment 5 is a listing of nursing locations that have tentatively agreed to provide clinical placements for both Herzing University campuses being proposed in Nebraska--numbering over 120 placements. Many of these locations have committed to support surgical technology as well.
- Similarly, Attachment 6 is a listing of physical therapy locations that have committed to support Physical Therapist Assistant students sufficient to support an initial cohort of up to 33 students in accordance with CAPTE standards.

Final signed clinical agreements formalizing these tentative commitments (and others that can be arranged in the meantime) must be obtained prior to matriculating students in each of these three programs.

It is important to note that the thrust of the statements in the application was that it was too early in the process for the University to secure formal clinical agreements (as it would be for any school including current providers). However, as part of our *internal preliminary analysis* of the feasibility of the clinic-based programs, we had made preliminary contacts with and received tentative assurances from the listed facilities that they would be willing to work with us on clinicals at the appropriate time.

What caused most of the confusion is that we attached (as attachments 5 & 6) our internal preliminary analysis worksheets regarding potential without adequately explaining how to read them.

In our internal preliminary analysis process, the heading on the worksheets had the following meanings:

FACILITY: Name and location of potential clinical site

CONTACT PERSON: The name of the person Herzing University understands would handle on-site clinical supervision at the facility when we got to that point in the future. This is not necessarily the person who we talked to regarding whether the facility would be willing to work with us. The purpose of having this column on the spreadsheet for the preliminary analysis work was to provide the future nursing director with a contact person when it came time to supervise clinicals.

Because we did not explain this either in the narrative of the application nor on the spreadsheets themselves, virtually everyone who has used the spreadsheets has assumed that this is the person we talked to about whether the facility would be willing to work with us. In retrospect, we should have deleted this and the next column from the copy of the spreadsheets provided to the Commission since they serve no real purpose in the Commission's decisions.

PHONE NUMBER: Phone number of the "Contact Person" (See above)

# OF STUDENTS: This is Herzing University's conservative estimate of the TOTAL clinical capacity of the facility. Thus, the sum is a very conservative estimate of the total capacity of community to support clinical assignments for all schools—numbering over 120 placements.

When deciding which communities are most attractive to the University for possible expansion, those with greater overall capacity are more attractive than those with less. This proceeds from the assumption that, at least initially, we can only expect to get the

“left over” clinical assignments after long term partners have had their pick. The more overall capacity in a community, the more slack resources would be available.

It appears that those viewing the spreadsheets without further explanation have assumed “# of Students” meant “the number of students the facility had promised to Herzing” even though we stated in the body of our application that it is too early for any facility to be able to commit to Herzing or any other school any specific number of clinical placements.

Two different newspapers and the Commission staff have attempted to use the spreadsheets to “verify” the number of clinical placements for which Herzing has agreements. All three attempts have come up dry because the “contact person” for future clinical supervision in many cases is not the same person we spoke with about the facility’s willingness to work with us in clinical placements and because the number annotated next to each facility did not represent clinical agreements but rather total capacity (probability significantly understated).

To clear-up the matters of misunderstanding, I have attached revised spreadsheets for the Commission’s review. On each we have added an explanation of what each columns means. We have also added a fifth column with the name of the person we spoke with at that facility. (Note: For one facility each on the Nursing and PTA spreadsheets, our notes were not clear on the name so that is indicated.)

Again to be clear, Herzing University makes no assertion to the Commission as to actual number of clinical placements we will ultimately be able to secure in support of these programs since it is too early in the process for any school to be able to make sure an assertion. However, we did and still assert that we will not matriculate more students than we have clinical placements to support at the time of matriculation. Further, based on our preliminary analysis at the time of the application, we were confident that the health care infrastructures in both Lincoln and Omaha were sufficiently large that slack clinical capacity would be sufficient to make the programs economically viable for the University.

If you have any additional questions regarding our application, please feel free to contact me.

Sincerely,

*William M Getter*

William M. Getter, D.P.A.  
Vice President of Academic Affairs  
Herzing University

NURSING FACILITY	CONTACT PERSON	PHONE NUMBER	# OF STUDENTS	PERSON WE SPOKE WITH
Name and location of potential clinical site	The name of the person Herzing University understands would handle on-site clinical supervision at the facility when we got to that point in the future--not necessarily the person who assigns the clinical slots.	Phone number of the "Contact Person"	This is Herzing University's conservative estimate of the TOTAL clinical capacity of the facility.	This is the person that Herzing University actually spoke with about supporting clinicals.
<b>ALEGENT HEALTHCARE SYSTEM-OMAHA</b>	Diane Lee	402-717-1850		Spoke, visited and corresponded with Diane Lee at Alegent Corp Office speaking for all Alegent sites. Actual clinicals would be assigned during normal planning cycle.
• Immanuel Medical Center	Sherri Stephany	402-572-2121	8	
• Bergan Mercy Medical Center	Sherri Stephany	402-398-6060	8	
• Lakeside Hospital	Sherri Stephany	402-717-8000	8	
• Lasting Hope Recovery Center	Sherri Stephany	402-717-5300	6	
<b>ALEGENT HEALTHCARE SYSTEM-PAPILLION</b>				
• Midlands Hospital	Sherri Stephany	402-593-3000	8	
<b>ALEGENT HEALTHCARE SYSTEM-SCHUYLER</b>				
• Schuyler Memorial Hospital	Roseann Neuhaus	402-352-2441	8	Ms. Lee indicating that she would call the state board of nursing herself on our behalf.
<b>ALEGENT HEALTHCARE SYSTEM-COUNCIL BLUFFS, IOWA</b>				
• Mercy Hospital	Susan Esler	712-328-5000	8	
<b>ALEGENT HEALTHCARE SYSTEM-MISSOURI VALLEY, IOWA</b>				
• Community Memorial Hospital	Debbie Tizzy	712-642-2784	8	
<b>ALEGENT HEALTHCARE SYSTEM-CORNING, IOWA</b>				
• Mercy Corning Hospital	Angie Ebelyn	641-322-3121	8	
<b>ST.MARY'S HOSPITAL-AVOCA, NEBRASKA</b>	Kathy Yost	402-873-3321	8	Notes not clear.
<b>BEATRICE COMMUNITY HOSPITAL-BEATRICE, NEBRASKA</b>	Tera Mintze	402-228-3344	6	Jan Raines

MEMORIAL COMMUNITY HOSPITAL-BLAIR,NE	Tamara Hime	402-426-2182	6	Kathy Jensen
CASS COUNTY COMMUNITY HOSPITAL-ATLANTIC, IOWA	Amber Scott	712-243-3250	6	Mike Rohde -- Provided signed agreement.
EDMUNSON MEMORIAL HOSPITAL-COUNCIL BLUFFS, IOWA	Sandy Westfall	712-396-6000	8	Becky Hinkle
METHODIST HOSPITAL-OMAHA, NEBRASKA	Terri Tipton	402-354-4000	8	Terri Tipton but Debbie Cuttler later withdrew all support
FREMONT AREA MEDICAL CENTER-FREMONT, NEBRASKA	Angie (Human Resources)	402-721-1610	6	The initial contact was Angie in Human Resources and we later met with Angela Leeper, Educational Coordinator (she even provided a resume for a potential nursing director). We never spoke with a Peg Kennedy.

<p>ST. ELIZABETH REGIONAL MEDICAL CENTER- LINCOLN, NEBRASKA</p>	<p>Sue Schuelke</p>	<p>402-219-5122</p>	<p>8</p>	<p>Talked to Sue Schuelke. She indicated that they wanted more BSN over ADN students. Will not know for sure on actual number of clinicals for a year. Invited us to their career fair. We never talked to Jeff Wiessert.</p>
<p>Student Totals</p>			<p>126</p>	

PHYSICAL THERAPY ASSISTANT	FACILITY	CONTACT PERSON	PHONE NUMBER	# OF STUDENTS	PERSON WE SPOKE WITH
	<i>Name and location of potential clinical site</i>	<i>The name of the person Herzing University understands would handle on-site clinical supervision at the facility when we got to that point in the future--not necessarily the person who assigns the clinical slots.</i>	<i>Phone number of the "Contact Person"</i>	<i>This is Herzing University's conservative estimate of the TOTAL clinical capacity of the facility.</i>	<i>This is the person that Herzing University actually spoke with about supporting clinicals.</i>
ALEGENT HEALTHCARE SYSTEM-OMAHA		Diane Lee	402-717-1850		We spoke with Jill Powers speaking for the Alegent system.
• Immanuel Medical Center		diane.lee@alegent.org	402-572-2121	4/WEEK	
• Bergan Mercy Medical Center		Jill Powers	402-398-6060	4/WEEK	
• Lakeside Hospital		Jill Powers	402-717-8000	4/WEEK	
• Lasting Hope Recovery Center		Jill Powers	402-717-5300	4/WEEK	
ALEGENT HEALTHCARE SYSTEM-PAPILLION		Physical Therapy Mgr.	402-593-3000	1	
ALEGENT HEALTHCARE SYSTEM-SCHUYLER		Nathan Olson	402-352-2441	2-Jan	
ALEGENT HEALTHCARE SYSTEM-COUNCIL BLUFFS, IOWA		Tammy Phillips	712-328-5000	2	
ALEGENT HEALTHCARE SYSTEM-MISSOURI VALLEY, IOWA		Heather Fogleman	712-642-2784	2	
ALEGENT HEALTHCARE SYSTEM-CORNING, IOWA		Clint Allen	641-322-6282	Can take 1 student each day (Mon-Fri)	
ST.MARY'S HOSPITAL-AVOCA, NEBRASKA		Tristin Miller	402-873-3321	Can take 1 student each day (Mon-Fri)	Tristin Miller
MEMORIAL COMMUNITY HOSPITAL-BLAIR,NE		Mike Ketchum	402-426-2182	2	N/A -- Non Available
CASS COUNTY COMMUNITY HOSPITAL-ATLANTIC,			712-243-3250		Mike Rohde with written Agreement

<b>IOWA</b>	Lisa Fidone	712-396-6000	Can take 1 student each day (Mon-Fri)	Lisa Fidone
EDMUNSON MEMORIAL HOSPITAL-COUNCIL BLUFFS, <b>IOWA</b>				
METHODIST HOSPITAL-	Debbie Cuttler	402-354-4000	4/week	Terri Tipton but Debbie Cuttler later withdrew all support
<b>OMAHA, NEBRASKA</b>				
FREMONT AREA MEDICAL CENTER- <b>FREMONT, NEBRASKA</b>	Human Resources	402-721-1610	2-Jan	Angie Leeper (See nursing)
ST. ELIZABETH REGIONAL MEDICAL CENTER-LINCOLN, NEBRASKA	Jeff Wiessert	402-219-8777	1	Visited Sue Schuelke one-on-one could work with us on a small scale.
		402-219-5122		
ST. JOSEPH VILLA NURSING & REHABILITATION CTR- <b>OMAHA</b>	Tiffany Harrahill	402-345-5683	2	Doris Petersen
NEBRASKA SKILLED NURSING & REHABILITATION- <b>OMAHA</b>	Teresa Lundy	402-397-1220 EXT. 109	1	Notes not clear on contact.
EXCEL REHABILITATION- <b>OMAHA</b>	Tom Flynn	402-731-1944	2	Visited with Tom Flynn personally.
		<b>Student Totals</b>	50-52	