

The CCE, Academic Freedom and the Numbers Game

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Most of you are familiar with the events that transpired last Dec. 14, 2011 at the meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) in Alexandria, Va. The Council on Chiropractic Education was seeking continued recognition as an accreditor from the U.S. Department of Education. This public meeting was a part of the process. If you aren't up to speed on current CCE issues, I suggest you review the papers by [McCoy](#),¹ [Edwards](#)²⁻³ and the *Dynamic Chiropractic* [staff](#),⁴ all of which are available online at no cost.

In addition to the more than 40 cited deficiencies identified by Department of Education staff, after hearing testimony and reviewing reports, NACIQI added [another recommendation](#): "In addition to the numerous issues identified in the staff report, NACIQI asks the agency to demonstrate compliance with Section 602.13 dealing with the wide acceptance of its standards, policies, procedures, and decisions, and to address how its standards advance quality in chiropractic education."⁵

The rest of the story makes me feel that I have fallen into Alice's rabbit hole. The CCE used an end-run to usurp the NACIQI before the hearing transcripts had become available. On Dec. 22, 2011, following the NACIQI recommendations, the CCE exercised the right of an agency to submit comments to the official deciding on the NACIQI recommendations.⁶ In [a letter](#) to Eduardo M. Ochoa, assistant secretary of education, the CCE objected to having to comply with this simple and reasonable recommendation.

The CCE wrote, "We suggest that this additional language be removed based on the following information which evidences that much of the third party testimony received by the committee during the meeting is not supported by the record," and that "we feel that the Committee was unfairly influenced by misleading 3rd party testimony during the meeting and did not put all testimony into proper perspective."

The only perspective that is "proper" appears to be the CCE's unreferenced claims. The letter launches into an attack on presentations which were critical of CCE, and alleged to be "false." According to the CCE, these presentations "overshadowed the powerful evidence" provided by CCE supporters. In an unusual display of hubris, the CCE further wrote, "We believe the language added by the committee is not only unfair, but will be exploited by the same vocal opposition group to further create a division in the profession."

The letter goes on to make a big deal about organizational size, alleging that the ICA figure of 8,500 members is false, while the ACA claim of 15,000 members is accurate. If you get the latest available 990 IRS forms, look at total dues collected, and divide by the cost of full dues (not students or new docs) you get some rather startling figures.⁷⁻⁸ OK, I'll save you the trouble.

According to the latest ICA IRS Form 990 that I could find online, income from membership dues was \$983,410. Full voting membership, fourth year or more after graduation, is \$600 / year. \$983,410 divided by \$600 is 1,606 (rounded to whole number) full dues equivalents. Repeat the exercise with the ACA, reporting \$4,016,071 in dues income. Full dues are \$650 a year. Rounded, you get 6,179 full dues equivalents. Add them up and you get 7,785 full dues equivalents.

Yes, I realize there are membership categories that pay less than full dues, and there may (or may not) have been some growth in membership since those forms were filed. Yet at the NACIQI hearing, the ACA claimed 15,000 members, including students; the ICA, 8,500.⁵

So what? The estimated number of active chiropractors in the U.S. ranges from 49,100 to 86,300.⁹ Even if we use the questionable figures of 15,000 and 8,500, the fact remains that both the ACA and ICA combined represent a small minority of U.S. chiropractors. The significance of this becomes apparent when we examine Assistant Secretary Ochoa's response to the CCE.¹⁰

Ochoa noted that the recommendations of the department staff and NACIQI differed, and that he had received written comments from the CCE that opposed NACIQI's additional recommendation. Ochoa told the CCE: "I disagree with NACIQI's concern about lack of wide acceptance of the agency's standards in the field. The dissenting voices in my judgment are a small minority within the profession. Generally, I agree with the arguments presented by the agency in this regard. Accordingly, I am not requiring that CCE address 34 C.F.R 602.13, or how the agency's standards advance quality in chiropractic education, in its compliance report."

You read correctly. Small minorities don't count, and opinions prevail over facts. Ochoa wrote, "The dissenting voices in my judgment are a small minority in the profession."

I am flabbergasted that an administration committed to minority rights and needs would actually put such a thing in writing! There are two serious problems with this. First, it is no more a matter of opinion than the number of light bulbs in the Oval Office. You just have to have the data. The fact that Assistant Secretary Ochoa doesn't have the data doesn't give him the right to default to opinion on matters of fact.

Furthermore, Secretary of Education Arne Duncan has repeatedly called education "the civil rights issue of our generation."¹¹ I am sure that both Democrats and Republicans would be interested in a statement by the administration which ostensibly states that minority rights are to be ignored. We must not play down this outrageous statement. Furthermore, the size-obsessed officials in the CCE and Department of Education must ask, "Who is representing the majority of U.S. chiropractors?"

Answer: No one. The "cartel"³ has shut them out.

NACIQI committee member Anne D. Neal, a Harvard law graduate, understood the crux of the matter when she asked, "Is there some reason that the CCE tent can't be big enough to accommodate the vertebral subluxation folks so that consumers have a choice?"⁵

The CCE has closed its tent to stakeholders who don't meet its specifications, and the flow is efferent: from the CCE to the rest of the chiropractic world. It occurs to me that the CCE, and many others, are operating under the false premises that only membership organizations are legitimate, that minorities don't count, and that belonging to a membership organization is the only way to establish the number of adherents to a given philosophical orientation. If they can get you to accept faulty premises, they can draw you into their strategy.

The largest stakeholder group directly affected by the CCE is excluded: the students. They are the ones to whom the CCE should first be answerable. This is a big deal. To suggest that because the ACA and ICA have student members, they are effectively represented, is ridiculous. The interests of field doctors are significantly different from those of students. Students are the ones directly affected by accreditation decisions and access to licensure.

In the 21st century, organizational membership is declining. Witness the phenomenon in other professions, such as medicine. Only a small minority of practicing physicians in the U.S. are AMA members. One estimate places the percentage around 15 percent; this is down considerably from the 1950s, when approximately 75 percent of practicing physicians in the U.S. were AMA members.¹²

Today, we must acknowledge the role of the Internet and social media in bringing people together. Limiting participation to hand-picked membership organizations stifles transparency, innovation and academic freedom.

Commissioner Neal's question bears repeating. "Is there some reason that the CCE tent can't be big enough to accommodate the vertebral subluxation folks so that consumers have a choice?" The answer is "no" unless you take decisive action.

References

1. McCoy M. "The Crisis in Chiropractic Education and Practice: A Review of History and Suggestions for Reform." *Chiropractic Dialogues*, March 5, 2012.
2. Edwards J. "What Is the CCE Trying to Pull?" *Dynamic Chiropractic*, Oct. 21, 2010.
3. Edwards J. "The Death of the CCE Cartel." *Dynamic Chiropractic*, Feb. 12, 2012.
4. "CCE Recognition Extended for Only One Year." *Dynamic Chiropractic*, Jan. 29, 2012.
5. National Advisory Committee on Institutional Quality and Integrity. United States Department of Education. Transcript from Wednesday, Dec. 14, 2011. Full transcript available at www2.ed.gov/about/bdscomm/list/naciqi.html#meetings.
6. Letter from David J. Wickes, DC, to Eduardo M. Ochoa, PhD Re: CFR 602.35, Responding to the Advisory Committee's recommendation. Dec. 22, 2011. Available at: http://cce-usa.org/CCE_News.html.
7. IRS Form 990 for the International Chiropractors Association. Guidestar.com: www2.guidestar.org/organizations/42-0179650/international-chiropractors-association.aspx
8. IRS Form 990 for the American Chiropractic Association. Guidestar.com: www2.guidestar.org/organizations/42-0431375/american-chiropractic-association.aspx
9. "How Many Chiropractors in the United States?" *The Chiropractic Beacon*.
10. Letter from Assistant Secretary of Education Eduardo M. Ochoa to S. Ray Bennett, director of accreditation services, CCE. March 15, 2012. Available at: http://cce-usa.org/CCE_News.html.
11. "U.S. Education Secretary Duncan Commemorates 46th Anniversary of the Civil Rights Act." U.S. Department of Education, July 2, 2010.
12. "American Medical Association Membership Woes Continue." *Canadian Medical Association Journal*, Aug. 9, 2011;183(11):E713-E714.

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