



UNITED STATES DEPARTMENT OF EDUCATION

FEDERAL STUDENT AID
SCHOOL ELIGIBILITY CHANNEL
FOREIGN SCHOOLS TEAM
WASHINGTON, DC 20202-5340

FEB 15 2005

Dr. David L. Frederick
President
Saba University, School of Medicine
Round Hill Campus
The Bottom
Saba

**Re: NOTICE OF DENIAL OF APPLICATION TO PARTICIPATE IN TITLE IV
STUDENT FINANCIAL ASSISTANCE PROGRAMS**

Dear Dr. Frederick,

In June 2003, the U.S. Department of Education (Department) received from the Saba University, School of Medicine (Institution) an application for initial certification to participate in the Title IV Federal Student Aid (FSA) Programs, specifically the Federal Family Education Loan (FFEL) Programs.

In a letter from the Department dated June 1, 2004, your Institution was informed that based on our review of your school's application, further information was required. Your institution was advised to submit the additional information requested if it would like FSA to continue consideration of your institution for approval to participate in the FFEL programs.

According to our records, we have not received any further information from your institution indicating that it would like its application to be further considered for initial certification. Therefore, it has been determined that the institution does not meet the eligibility requirements set out in 34 CFR 600.54, 600.55, 668.5, 668.15, 668.23, and Subpart L of Part 668. It should be additionally noted that as outlined in the letter dated June 1, 2004 from the Department, the Institution's application for initial certification was not materially complete.

Therefore, we are denying your institution's application for initial approval to participate in the Federal Student Aid programs, effective as of the date of this letter.

In the future, should Saba University, School of Medicine provide the information necessary to establish eligibility, and submit a materially complete application, we will review that request at that time.

Sincerely,

A handwritten signature in cursive script, reading "M. Geneva Coombs". The signature is written in black ink and is positioned above the printed name.

M. Geneva Coombs, Director
School Participation Teams -- NE



UNITED STATES DEPARTMENT OF EDUCATION
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FOREIGN SCHOOLS TEAM
WASHINGTON, DC 20202-5340

Dr. David L. Frederick
President
SABA University School of Medicine
Round Hill Campus
The Bottom
SABA 00000

JUN 1 - 2004

Dear Dr. Frederick:-

OPEID#: 03780300

Thank you for your application for initial certification to participate in the Title IV Federal Student Aid Programs, specifically the Federal Family Education Loan (FFEL) Programs. FSA performed a thorough review of the application and documents SABA University School of Medicine submitted, and FSA has concluded that your submission requires further information. If you would like FSA to continue to consider your institution for approval to participate in the FFEL programs, we will need the following information to proceed.

1. We have determined that your school does not meet the requirement that school's clinical training program be approved by a State as of January 1, 1992, 34 CFR § 600.55(a)(5)(ii). There is a great deal of conflicting information in the documentation the Department has received as to the date your school began providing its M.D. program, and, in any event, no pre-1992 State approval has been submitted. This deficiency would not preclude a determination of eligibility if your school were to submit evidence that your school complies with 34 C.F.R. § 600.55(a)(5)(i). We invite you to send us documentation on that issue.¹
2. In addition, Saba University School of Medicine's financial statements submitted as of December 31, 2002 do not meet Title IV requirements. Please submit your December 31, 2003 financial statements for consideration. Also, since your

¹Specifically, your school would need to submit the following information: (i) the number of full-time regular students enrolled at your school during academic year 2003-2004 plus the number of students graduating during that year; (ii) the number of full-time regular students enrolled in your school plus the number of students graduating from your school during academic year 2003-2004 who were persons not meeting the citizenship and residency criteria contained in section 494(a)(5) of the HEA, 20 U.S.C. 1091(a)(5); (iii) the number of students enrolled in your school during academic year 2003-04, plus the number of your school's graduates in academic years 2003-04, 2002-03, and 2001-02, who took any step of the examinations administered by the Educational Commission for Foreign Medical Graduates (including the ECFMG English test) during academic year 2003-04; and (iv) the number of such students and graduates who received passing scores on those tests

school's accrediting agency indicates that your school's accounts are audited in the United States by Venning and Jacques P.C., we would like to receive the statements prepared by that firm as well. Depending upon the outcome of the additional inquiries described below, we may need financial statements from other entities as well.

The following points also need to be addressed.

3. The law requires that your school have legal authorization to provide a postsecondary program in the country where the school is located, and that the program be one for which your school is legally authorized to award an M.D. degree. 34 CFR § 600.54(a), (c)(1)). Your application is in the name of "Saba University School of Medicine."

The documentation the Department has obtained on legal authorization issues to date consists of:

- A. The January 21, 1988 certificate from the Minister of Health at the Netherlands Antilles stating that graduates of "the Saba School of medicine" "upon successful completion of their course of studies at said institution and upon presentation of their diploma will be considered as eligible for licensure to practice medicine in the Netherlands Antilles. It is further stipulated that the granting of licensure will only be made on an individual basis and will be dependent on review of each applicant's complete credentials. This agreement should not be considered as a statement of accreditation of said school's academic program."

To understand the implications of this document, the Department will need the charter or articles of incorporation of the "Saba University School of Medicine"; a copy of any charter or articles of incorporation of the "Saba School of Medicine"; any documents describing the relationship of "Saba University School of Medicine" and "Saba School of Medicine"; and a copy (in English) of the laws and regulations governing the grant of licenses to practice medicine by the Government of the Netherlands Antilles.

- B. An Agreement signed on October 29, 1992 on behalf of the Government of Saba, Netherlands Antilles and the "Saba School of Medicine Foundation." This document states that the Government "hereby grants to the SCHOOL the right to establish a Medical School with the right to confer the degree of Doctor of medicine after the successful completion of a minimum of four academic years of study. . . . Students of such school who successfully complete the prescribed course of studies shall be considered as eligible for licensure to practice medicine in the Netherlands Antilles [citing January 21, 1988 letter]." Paragraph 28 of the document further states that within ninety days of execution of the agreement, the

government would grant Saba School of Medicine Foundation “a charter for establishment of a school of medicine . . . which school shall have the authority to grant appropriate degrees to candidates who successfully complete courses of study in the field of medicine.”

To understand the implications of this document, the Department will need the documents described above as well as: the charter or articles of incorporation of Saba School of Medicine Foundation; and all other documentation that establishes the relationship between Saba University School of Medicine and the Foundation.

- C. A letter of August 20, 2003 from the Executive Council of the Island Territory of Saba. This document, addressed to Dr. Frederick of Saba University School of Medicine, states that “You have asked the Ministry of Education to confirm that the Saba University School of Medicine is authorized by the government of Saba to offer graduate –level medical programs and confer medical degrees to its students. We have reviewed our records and hereby confirm that the Executive Council of Saba reviewed the University upon its formation in 1986 and granted approval to operate and confer graduate level degrees at that time.”

To understand the implications of this document, the Department will need to see the approval issued in 1986.

- D. A letter of May 22, 2001 to the Kansas State Board of Healing Arts, stating that “SABA University School of medicine came into existence and was approved by the Executive Council of Saba in June 1986. Since that time, the medical school was also approved by the Kingdom of the Netherlands.”

To understand the implications of this document, the Department would need to see the two approvals referred to.

- E. The Inspection Report of the Accreditation Commission on Colleges of Medicine states that “in October 2002 the School was officially chartered and recognized by the Government to confer upon its students the M.D. degree,” and that a “deed of foundation registering Saba School of Medicine Foundation” as a “not for profit foundation” was signed in October 1988.

To understand the implications of this document, the Department will need to see the official charter and deed of foundation referred to.

4. For schools, such as yours, that provide programs of clinical instruction in the United States, the law requires that the programs have been approved by all

medical licensing boards and evaluating bodies whose views are considered relevant by the Secretary. 34 CFR 600.55(a)(1)(ii).

The Secretary deems relevant the views of your accrediting body with regard to your clinical program. The Secretary will need to see the inspection report and the decision from the Accreditation Commission on Colleges of Medicine, when one is reached, as to the accreditation of your school's clinical program.

The Secretary also deems relevant the views of the States in which your school provides clinical training. For those States in which (i) your school provides clinical training and (ii) an approval of the clinical training is required under state law to be obtained from a state agency, please provide a copy of the requisite state approvals and any reports from such states.

5. Schools applying for participation must establish whether they are public, private non-profit, or proprietary. 34 CFR §§ 600.54, 600.55.

Although your school has indicated that it is a private non-profit institution, it has not included a certified English translation of its nonprofit status as required.

While the October 29, 1992 agreement referred to above indicates that "A tax holiday period of (10) years shall be negotiated for the SCHOOL by the Government in respect of any earnings and profits if any from any of its activities," the Department would need the documentation granting such a holiday, and the other documentation described above regarding this agreement, before it could determine the implications of this reference to a tax holiday.

In addition, while the May 22, 2001 letter to the Kansas State Board of Healing Arts described above states that "SABA University is a 'non-profit' Foundation approved in the Netherlands-Antilles," the Department would need the documentation granting such approval before it could determine the implications of this statement.

Although the Inspection Report of the Accreditation Commission on Colleges of Medicine states that the School is a non-profit organization because "all annual surpluses are designated for new buildings, faculty recruitments and development, technology investment and increase in faculty salaries," and further states that "all administrative and faculty members are salaried," the Department would need the documentation designating such allocations of surpluses, as well as accounts of administrative and faculty salaries (by name as well as title), before it could determine the implications of this statement.

While a December 21, 1998 report of a "Commission of Good Services" expresses the opinion that "The Medical School of Saba" is a "non-profit foundation for the purpose of the PO and consequently it does not have to pay

profit tax," the Department would need the following documentation to determine the implications of this statement:

- A. a copy of any documentation from the Inspectorate of Taxes on St. Martin regarding its annual reviews of this issue as contemplated on page three of the report
- B. documentation as to the identity (by name and not just by title) of all members of the Commission of Good Services
- C. documentation regarding the authority of the Commission and/or adoption of its views by the Government of the Netherlands or of the Netherlands Antilles.
- D. the charter or articles of incorporation of the Medical School of Saba and all other documentation that establishes the relationship between Saba University School of Medicine and the Medical School of Saba.

In addition, in view of documentation indicating that (1) your school's President was asked by your Accrediting Association to resign from the Board of Trustees; (2) your school's accrediting agency asked that a Chief Financial Officer other than your school's President be appointed to assure accountability; (3) the Commission of Good Services asked that the Medical School of Saba "enlarge the Board of Directors in such manner that Mr. and Mrs. Frederick will represent a minority"; (4) your school's financial statements reflect a payment of \$700,000 in management fees to EIC, (5) Education Information Consultant, Inc., is a for-profit corporation organized and run by your school's President, Dr. David Frederick, the Department would need the following documentation before it could evaluate your school's application as a non-profit entity:

- A. a copy of all contracts and correspondence between or on behalf of your school and Education Information Consultant, Inc.
 - B. a list of all current members of your school's Board of Trustees
 - C. a description of all payments made during the last 12 months (salaries, fees, contractual payments, etc.) by or on behalf of your school to Dr. David Frederick or to any family member of Dr. David Frederick.
6. The law requires that participating schools must admit as regular students only persons who have a secondary school completion credential or the recognized equivalent. 34 C.F.R. § 600.54(a)

The Department cannot evaluate your school's compliance with this requirement given your school's policy of accepting students from countries other than the U.S. and Canada according to the standards of these students' country of origin.

7. We note that your school offers or has offered a joint degree program with Fielding Institute. Such contracts are pertinent to Title IV eligibility. (e.g., 34 C.F.R. §668.5.) Accordingly, we would like copies of any contracts between or on behalf of the your school on one side and Fielding Institute on the other. In addition, we would like copies of all materials provided to students or prospective students regarding the joint degree program with Fielding Institute,
8. We also have information that your school has an educational affiliation with Warnborough College. Please provide a copy of any such agreement for our review. If SABA has other agreements with other ineligible Title IV schools, you must include that information as well.

Once the Institution is ready to make the necessary revisions, please let us know so that the appropriate analyst can turn the electronic application on to enable the submission of this additional information. If you have other updates (e.g., officials and directors) please enter those revisions at this time also. The application will only be open for ten calendar days from the date it is turned on. The hard copy documents must be submitted to the following address:

U.S. Department of Education
Federal Student Aid, School Eligibility Channel
Attention: Foreign Schools Team
830 First Street, NE
Union Center Plaza, 73C3
Washington, DC 20202-5340
U.S.A

If you have any questions and/or comments, please do not hesitate to contact Sally Wanner at (202) 401-8302 or myself at (202) 377-3173.

Sincerely,



M. Geneva Coombs
Director

Hough, Valerie

From: Coombs, Geneva
Sent: Friday, April 23, 2004 2:22 PM
To: 'jglass@dlalaw.com'
Cc: Wanner, Sarah; Hough, Valerie
Subject: SABA University, School of Medicine

Jonathan, Valerie and I have received your messages, based on our review to date, we will be requesting additional information. That request for information should be ready to share by next week. thanks, Geneva

Hough, Valerie

From: jglass@dowlohn.com
Sent: Friday, April 23, 2004 4:07 PM
To: Coombs, Geneva; jglass@dowlohn.com
Cc: Wanner, Sarah; Hough, Valerie
Subject: RE: SABA University, School of Medicine

Thank you. The written request should help. We are concerned about the timing of the review, and if there is more that we need to do or provide then we would like to do it promptly, including coming in to meet if that will help resolve any questions.

Jonathon

-----Original Message-----

From: Coombs, Geneva [mailto:Geneva.Coombs@ed.gov]
Sent: Friday, April 23, 2004 2:22 PM
To: 'jglass@dlalaw.com'
Cc: Wanner, Sarah; Hough, Valerie
Subject: SABA University, School of Medicine

Jonathan, Valerie and I have received your messages, based on our review to date, we will be requesting additional information. That request for information should be ready to share by next week. thanks,
Geneva

Hough, Valerie

From: jglass@dlalaw.com
Sent: Tuesday, September 02, 2003 8:50 AM
To: Valerie.Hough@ed.gov
Cc: bgoffman@dlalaw.com; [b)(6)]
Subject: RE: Saba University School of Medicine - Initial Certification Application

Valerie: It was good to talk to you Friday. By now you should have received our package. I can see that we need to give you at least one and maybe two additional documents.

First, is the street address, which we can provide to you shortly.

Second, is the set of missing exhibits from the ACCM report. I had been under the impression that you would obtain those from the NCFMEA staff, but maybe I was mistaken. If you still need us to send those over, please let me know.

I look forward to talking to you.

Jonathon Glass
202-776-2691

-----Original Message-----

From: Hough, Valerie [mailto:Valerie.Hough@ed.gov]
Sent: Friday, August 29, 2003 11:15 AM
To: 'jglass@dowlohn.com'
Subject: FW: Saba University School of Medicine - Initial Certification Application

-----Original Message-----

From: Hough, Valerie
Sent: Monday, August 11, 2003 4:47 PM
To: 'drfredrick@saba.edu'
Subject: Saba University School of Medicine - Initial Certification Application

Dear Mr. Frederick:

My name is Valerie Hough and I am the analyst currently reviewing your school's application. There are several things I need to receive before, I can proceed with my review of your institution's application for initial certification. They are as follows:

- Legal Authorization from the Saba Department of Education stating that your institution is legally authorized to operate as a post-secondary institution and offer degrees
- Two-years most recent audited financial statements
- Clinical rotations hospital agreements for U.S. hospitals
- A street address other than the post office box address listed on the application
- The missing exhibits from the report of the Accreditation Commission on Colleges of Medicine

At this time, I believe that will suffice for now. Please contact me if you have any questions.

Sincerely,

12/31/2007

Hough, Valerie

From: bgoffman@dlalaw.com
Sent: Monday, September 15, 2003 11:48 AM
To: Valerie.Hough@ed.gov
Subject: RE: SABA University, School of Medicine

Good morning, Valerie.

We have entered all the necessary changes into the Saba University School of Medicine electronic application. Thanks for your assistance in opening it up.

Barb Goffman

-----Original Message-----

From: Hough, Valerie [mailto:Valerie.Hough@ed.gov]
Sent: Friday, September 12, 2003 11:46 AM
To: bgoffman@dlalaw.com
Subject: SABA University, School of Medicine

Good Morning Barbara:

I have granted Saba access to the application for any necessary revisions. If you have any other questions, please do not hesitate to contact me.

Sincerely,

*Ms. Valerie Hough
Management and Program Analyst
Foreign Schools Team
U.S. Department of Education
(202) 377-3166
(202) 275-3486 (fax)*

THE COMMISSION

February 14th, 2004

Via Fax and Courier

U.S. Department of Education
Federal Student Aid, School Eligibility Channel
Foreign Schools Team
Union Center Plaza, 73C4
830 First Street, NE
Washington, D.C. 20002
Attn: Valerie Hough

Dear Ms. Hough:

Thank you for your letter dated January 29, 2004, regarding the U.S. Department of Education's continuing review of the Saba University School of Medicine I am pleased to provide you with the following further information under the following headings:

LIST OF CLINICAL SITES: The University has reported to us a total of 17 hospitals that at present are in full time teaching of SUSOM students in one or more core subjects that you have listed in your letter. I have appended a full list of all of the active hospitals at the end of this communication. All of the hospitals have written affiliation agreements with the school.

I note in your letter that you mention 24 hospitals as reported by the school to the Department. The discrepancy can be explained in the following way: It has been the experience of the ACCM that the number of clinical sites can alter due to many factors that in the case of SUSOM are due to the deletion of certain sites and the addition of others. For instance, Southeast Community has been deleted and Park Du Valle and Rochester General have recently been added. Also, the ACCM does not need to visit sites that are only used for electives or those that do not have students being actively taught at the time, but the school may have submitted such additional sites to the Department in accordance with the Department's standards. As a result

of a ruling made by the National Committee on Foreign Medical Education and Accreditation (NCFMEA) in September 2003, the ACCM should visit a new site within one year of *students being placed there*.

The ACCM is satisfied that all changes are notified to the Convenor in timely fashion so that the ACCM can reasonably plan its site visits to remain in compliance with the Elements of Accreditation. As I mentioned in my email to you of January 8, 2004, the ACCM conducted inspection visits to 12 hospital sites in September 2003 and November 2003, and plans to visit three additional sites in March 2004. Accordingly, as of March 2004, we will have conducted an inspection of almost all of the University-affiliated hospitals that offer one or more of the core competencies. The remaining inspections will be scheduled soon, probably in September 2004 which is well within the timeframe allowed by the NCFMEA. I would reiterate that based on our inspections thus far, the ACCM sees no reason to alter its accreditation of Saba University School of Medicine.

UNIVERSITY FACULTY AT CLINICAL SITES:

Please be advised that the ACCM reviews these matters pertaining to the staffing and educational caliber of the core clinical sites very closely, since the clinical portion of the medical school curriculum is absolutely vital to the programme of medical education at Saba University. Even before we conduct site visits to the core clinical sites, we review the quality of the clinical programmes through:

- (i) interviews with administrators and faculty members, including those who directly supervise the clinical programmes during the initial site inspection,
- (ii) review of the faculty appointment records and the credentials of the clinical faculty, and
- (iii) review of the faculty committee minutes to verify that the faculty at the clinical sciences campus receive, review and act upon reports from the clinical faculty. All faculty committee minutes were thoroughly reviewed at the inspection of the basic science campus in November 2002.

INTEGRATION OF CURRICULUM/STUDENT EVALUATION:

Saba University's clinical programmes are centrally coordinated and supervised by the Executive Dean and the Associate Dean of Clinical Medicine and their staff members. The hospital physicians or other hospital professionals are appointed to the University's faculty as Preceptors on a

full-time and part-time basis. The University's faculty includes five appointed core clinical chairpersons, board certified in their specialty, who participate in and review site visits to hospitals, review student logbooks and end of rotation student evaluations. Saba University also allows students to do their own evaluation of the core clinical teaching experience and submit their patient contact and activity logs for their rotations online, so that the University basic sciences faculty can monitor their activities in a timely way.

There is at least one appointed clinical faculty member for each core clinical programme, so those hospitals that offer multiple core clinical programmes have multiple University faculty members. Such faculty appointments are the customary way for almost all medical schools to provide instruction at clinical sites that are distant from the basic sciences campus. It is a requirement of the Elements of Accreditation that all Preceptors be faculty members of the University. The ACCM is in receipt of these written agreements pertaining to each Preceptor. All of the Caribbean medical schools that the ACCM is in the process of accrediting rely on such faculty appointments to operate their clinical programmes at U.S. hospitals. These appointments enable the schools to utilize faculty members who have quality professional experience as well as a relationship with the teaching faculty of the basic science campus. This is completely consistent with sound medical education.

The University supervises the teaching and related activities of its clinical faculty members in several ways. First, they are selected as faculty members based on their teaching experience or capacity. They report on their activities to the University's Associate Dean of Clinical Medicine, who also travels extensively to visit clinical sites and monitor the activities of clinical faculty. As a general observation, the ACCM has found that the Associate Dean and/or other appropriate University academic personnel visit each clinical site and therefore personally consult with each clinical faculty member at least one time per year, which is consistent with the guidelines of the Liaison Committee on Medical Education (LCME). In addition, the clinical faculty regularly communicates with the core chairperson in his field and is encouraged to take part in the visiting clinical faculty programme to the basic science campus on Saba. The ACCM was impressed that Saba University had this arrangement in place prior to the November 2002 basic science campus inspection. Based on our review of the University's clinical sites and arrangements to integrate the clinical activities into the medical school curriculum, we have no hesitation in stating that the clinical sites are

operated at a standard that is in full compliance with the Elements of Accreditation.

I trust this is helpful. If I can provide you with more information, please do not hesitate to ask.

Yours sincerely,

Anthony Peacock M.D

Hospitals with which Saba University is now affiliated, as reported to ACCM

| | <u>All Cores</u> | <u>Select Cores</u> | <u>Site Visit</u> |
|--|------------------|---------------------|-------------------|
| Union Memorial Hospital Baltimore, MD | | x | 9/03 |
| Holy Cross Hospital Silver Spring, MD | | x | 9/03 |
| Harbor Hospital Center Baltimore, MD | | x | 9/03 |
| Spring Grove Medical Center Catonsville, MD | | x | 9/03 |
| Michael Reese Medical Center Chicago, IL | | x | 11/03 |
| St. Anthony Hospital Chicago, IL | | x | 11/03 |
| Jackson Park Hospital Chicago, IL | x | | 11/03 |
| Park Du Valle/Norton Health Care Systems Louisville, KY | | x | 11/03 |
| St. Mary's Health Center St. Louis, MO | | x | 11/03 |
| St. Luke's Hospital Kansas City, MO | | x | 11/03 |
| Veterans Administration Medical Center Kansas City, MO | | x | 11/03 |
| Leonard Chabert Hospital Houma, LA | x | | 11/03 |
| Bridgeport Hospital Bridgeport, CT | | x | 3/04 |
| Brookdale Hospital Brooklyn, NY | | x | 3/04 |
| Lincoln Medical Center Bronx, NY | | x | 3/04 |
| Cherry Hospital Goldsboro, NC | | x | Pending |
| Rochester General Rochester, NY | | x | Pending |

Hough, Valerie

From: Tony Peacock [tonypea@iol.ie]
Sent: Friday, February 13, 2004 11:11 AM
To: Hough, Valerie
Subject: Saba University School of Medicine

Dear Ms. Hough,
Hope this finds you well. Will e-mail suffice or would you like it sent by surface mail as well?
Regards,
Tony Peacock.

12/31/2007

Section L (page 1 of 1) Help OPE ID: 03780300 School Name: Saba University School of Medicine
Your Initial Certification application has been submitted. Round Hill Campus
The Bottom, Saba

Section L. Please have the appropriate person in authority review, sign, and date this document.

I hereby certify that, to the best of my knowledge and belief, all information in this document is true and correct. I understand that if my institution provides false or misleading information, (a) the U.S. Department of Education may deny the institution's request for eligibility to participate in federal student financial aid programs and/or revoke eligibility once it has been granted and (b) the institution may be liable for all federal student financial aid funds it or its students received. I also understand that I may be subject to a fine of not more than \$25,000 or imprisonment of not more than five years, or both, for misinformation that is material to receipt and stewardship of federal student financial aid funds.

Signature of President/CEO/Chancellor


Date
06/20/2003 (mm/dd/yyyy format)

Name of institution
Saba University School of Medicine

Name of President/CEO/Chancellor

Check here if this is the same person as in Question 10 (Dr. David L. Frederick). If not, complete the information below.

Prefix First name MI Last name Suffix

Job title

Business street address

City

State Zip Zip+4

Foreign Province Country Postal Code

Telephone number (including area code)
() - ext:



NEDERLANDSE ANTILLEN

Gezaghebber Saba

785-296-0852

Kansas State Board of
Healing Arts
Attn: Charlene Abbott,
License Administrator
235 S. Topeka Blvd
Topeka, Kansas 66603-3449

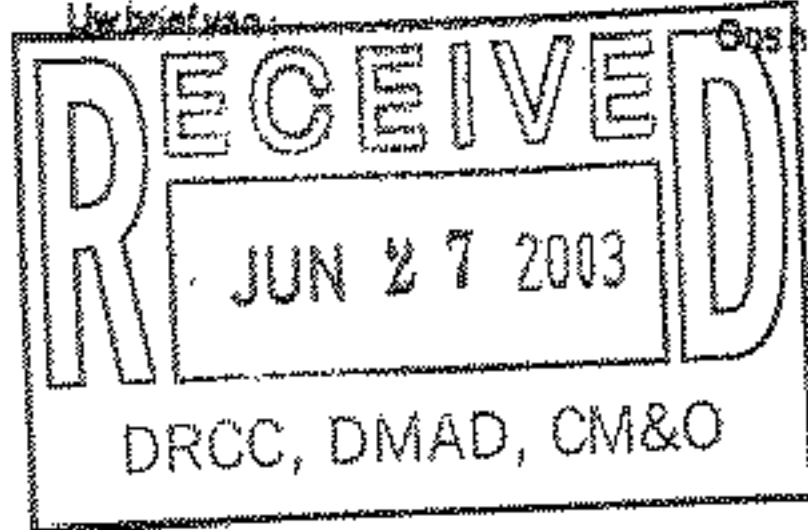
Ltr nummer (jaar):

Ltr nummer:

Ops nummer: 1042

Onderwerp:

Bijlagen:



Saba May 22, 2001

Dear License Board,

On behalf of the Government of Saba, Netherlands Antilles, and at the request of the Board of Trustees for SABA University School of Medicine, I have been asked to provide your Board with documentation about the medical school.

SABA University School of medicine came into existence and was approved by the Executive Council of Saba in June 1986. Since that time, the medical school was also approved by the Kingdom of the Netherlands and the World Health Organization. SABA University is a "non-profit" Foundation approved in the Netherlands-Antilles and directed by a seven member Board of Trustees.

I trust this information is sufficient and will help your licensure board in determining the eligibility of our school graduates and residents.

Sincerely yours,
The Lt. Governor of the Island Territory of Saba

Antoine J.M. Solagnier



Address: The Bottom, Saba
Netherlands Antilles

NO. 444 P. 47

MAR. 7. 2003 1:14PM

Gelieve bij beantwoording datum en nummer te vermelden en in elke brief slechts EEN onderwerp te behandelen.



NEDERLANDSE ANTILLEN

DIRECTIE DER BELASTINGEN

Medical School of Saba
Dr. David L. Frederick, Ph.D.
P.o. box 386
Gardner, MA 01440
U.S.A.

Uw kenmerk:

Uw brief van:

Ons kenmerk:
98/718/ak

Doorkiesnummer:
734.2006

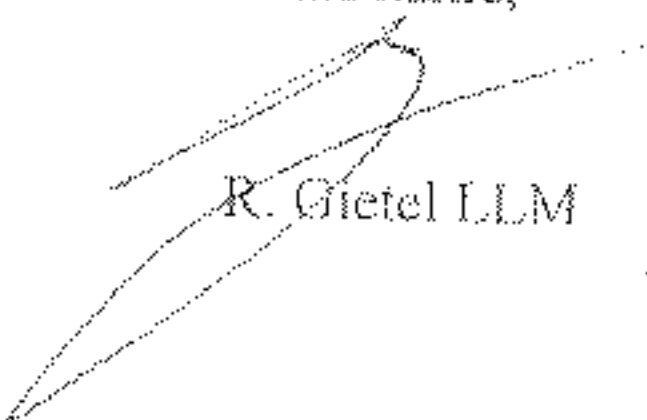
Datum:
December 21, 1998

Onderwerp:
Commission of Good Services
report

Dear Dr. Frederick,

Hereby I send you a copy of the report of the Commission of Good Services as it has been sent to the Minister of Finance. I thank you and the other members for participating in the commission.

The Director of Taxes,
in his name,


R. Gietel LLM

Introduction

A medical university has been established on Saba, the Medical School of Saba (MSS), as well as on At these universities, mostly foreign students receive an education to become medical doctors. The MSS has started its operation in 1992, and the in 1995.

The Inspectorate of Taxes on St. Martin (Inspectorate) considered both universities as being a for-profit company and has taxed them accordingly. Both universities were under the impression that they could apply to tax exemption on grounds of a promise made by their respective Island Government. Based on that they did not cooperate from the start with the Inspectorate to provide requested information. That made it necessary for the Inspectorate, because of lack of relevant data, to impose official assessments and to start an audit for the wage tax at both universities.

In order to bring an end to the uncertainties of the fiscal position of both universities the Minister of Finance has formed a Commission of Good Services. The following persons have been appointed as members.

Dr. David L. Frederick Ph. D. (MSS);

Dr.;

Inspector of Taxes St. Martin or a representative;

mr. Jean James LL.M., Island Government of St. Maarten;

ms. Maria Bass LL.M., Deloitte & Touche;

Director of Taxes, Curaçao, or a representative, (chairman).

The task of the Directorate of Taxes was to mediate in the discussions with both universities. Startingpoint of the discussions with MSS and was:

1. Are the universities taxable according to the Profit tax ordinance 1940 (PTO);
2. Are the universities charitable institutes;
3. Are the universities non-profit;
4. Is the Inspectorate authorized to prove their being for profit;
5. In what regard have promises of tax exemption been made in the past to the universities;
6. Which possible tax exemption or tax holiday might be available to the universities.

The meetings were also attended by mr. Ray Hassell of the Island Government of Saba and mr.

During the first meeting on tuesday 1, 1998, it became clear that both universities had their own specific aspects and therefore it was preferred to have separate meetings with the representatives of both universities. Hereafter in this report the universities will be discussed individually.

MEDICAL SCHOOL OF SABA

- Background

Towards the end of the eighties, mr. Frederick was approached by the Island Government of Saba with the request to start a medical school on Saba. After a number of years of preparation the MSS in october of 1992 started her activities on Saba. In june of 1994 it received a certificate of the World Health Organisation. The Board of Directors of MSS consists of dr. Frederick and

his spouse, and a third person. The executive committee of the MSS, presided by the dean of the school, is authorised to make all decisions concerning daily operation of the school.

All students receive their education in 5 semesters on Saba and afterwards return to the United States. During their stay on Saba the students form an integral part of the island community. They do not live on campus but in housing provided by the permanent residents. At the moment more or less 125 to 150 students live on Saba. Together with their families and the faculty, this means that in between of 200 and 225 people contribute to the economic development of the island.

The hospital of Saba is being supported financially by the MSS. Also the MSS offers free dental treatment to the local citizens. The students are almost all of them blood donors and run the policlinic under the supervision of the faculty staff. It appears that the MSS contributes considerably to the medical care of the island's citizens.

The facts

In January of 1993 the Inspectorate handed out wage tax forms to MSS and informed the school that it had to deduct wage tax and social security premiums from the wages of the faculty and other employees. In January of 1995 the Inspectorate conducted an audit at the MSS. Based on the results thereof additional assessments were made and it was agreed upon that all personnel would be included in a wage administration.

In July of 1996 another audit was started. This audit was closed only in april of 1997, because in first instance the MSS was not willing to provide documents. On that ground official assessments were made for the wage tax and social security premiums as well as for the profit tax.

Later on the MSS did comply with the request to provide all documents. In other words, the Inspectorate received all cooperation necessary to conduct a complete audit. All the official assessments were revised accordingly.

MSS refered to an agreement with the Island Government of Saba, wherein it is said that the Island Government shall negotiate a full exemption status for MSS (annex 6)

- Course of the discussions

At the start of the meeting the MSS as well as the Inspectorate were given the opportunity to bring forward their standpoint. During the talks on the subject of the fiscal status of MSS under article 1, sub b, of the PTO, whether it is or is not a non-profit foundation, the degree of involvement of MSS, as becomes apparant in the free contribution towards medical care on Saba, was also taken in consideration. More important was the fact that in the end MSS has fully cooperated with the Inspectorate by providing its complete financial administration and information on the way the institute is operated.

- Conclusion

As a result of what is mentioned above, the commission holds the opinion that MSS is a non-profit foundation for the purpose of the PTO and consequently it does not have to pay profit tax. This conclusion is substantiated by the results of the thorough audit held by the Inspectorate. Based on the position of a non-profit organisation it is also not taxable for the turn-over-tax.

It has been agreed upon that the MSS will file a yearly tax return for the profit tax, so as to enable the Inspectorate to evaluate whether there has not been a change in the non-profit status. The MSS has also been advised to enlarge the Board of Directors in such manner that mr. and mrs. Frederick will represent a minority.

Finally the commission decided to recommend the Minister of Finance to extend the expatriate ruling to foreign faculty of universities and other institutes of higher learning whose students come for 90% or more from outside the Netherlands Antilles.

THIS SECTION OF THIS REPORT ADDRESSES A SEPARATE
UNIVERSITY AND IT HAS BEEN REDACTED.

FINAL CONCLUSION OF COMMISSION

The commission agrees to put before the Minister of Finance the following unanimous advise:

- The expatriate ruling should be extended towards universities and institutes of higher learning whose students come for 90% or more from outside the Netherlands Antilles. This implies that a teacher at a qualifying institute, who fulfills the requirements of the ruling such as a sufficient specific expertise, can receive non-cash benefits up to Naf. 15.000 tax free. Furthermore whereas the normal tax rate does apply, when the agreed-on wage is take-home pay, the employer does not have to include the wage tax in the taxable income.

- Considering the MSS the commission does not have to make other recommendations, as the points of discussion have been solved based on existing law.

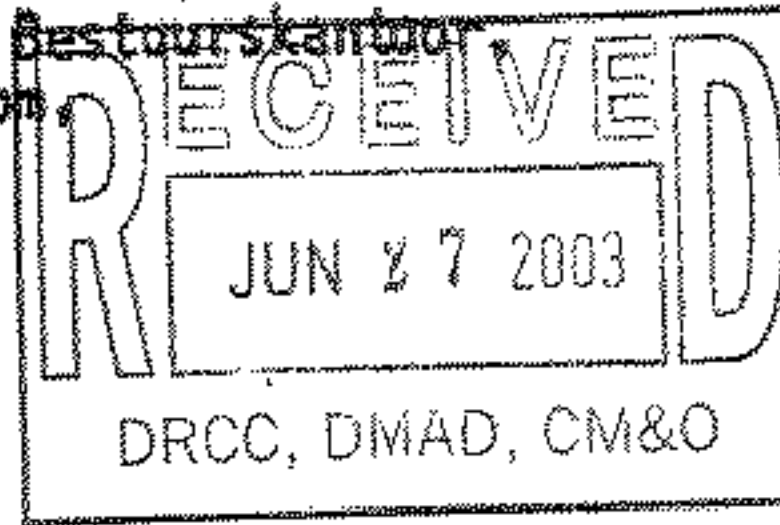
Annex

1. 11-6-1998;
2. Forming Commission of Good Services: Letter of Minister Inspectorate, 11-6-1998;
3. Invitation to first meeting: 11-6-1998;
4. Postponement of first meeting: 11-10-1998;
5. New invitation to first meeting: 11-23-1998;
6. Agreement: island Government of Saba and MSS;
- 7.
- 8.
- 9.
- 10.
- 11.



REGERING VAN DE NEDERLANDSE ANTILLEN

The Gezaghebber of the
Island of Saba,
Centraal Bestuurskantoor
The Bottom,
Saba



Willemstad, 21 Januari 1988.
CURACAO

Uw nummer (inter):

Uw brief nr.:

Uw nummer:

7558/JAZ

Onderwerp:

Bijlage:

As the Minister of Health of the Netherlands Antilles I certify that graduates of the Saba School of medicine upon successful completion of their course of studies at said institution, and upon presentation of their diploma will be considered as eligible for licensure to practice medicine in the Netherlands Antilles.

It is further stipulated that the granting of licensure will only be made on an individual basis and will be dependent on review of each applicant's complete credentials.

This agreement should not be considered as a statement of accreditation of said school's academic program.

The Minister of Health

c.c. The Minister of Education
The Executive Council of Saba

| | |
|-------------------|-------------|
| EILANDGEBIED SABA | |
| Volg. nr. | |
| Ontv. | JAN 25 1988 |
| Afd. | |
| Par. | |

Tah-Hsiung Hsu, MD, FACP
Director, Department of Medicine

Harbor Hospital

March 7, 2003

To Whom It May Concern:

SABA University was approved for clinical rotations at Harbor Hospital in June, 1991. SABA University has had students rotating at our hospital for over 10 years. We have been pleased with their performance.

Sincerely,



Tah-Hsiung Hsu, M.D., F.A.C.P.
Director of Student Education
Director - Department of Medicine
Harbor Hospital
Associate Professor of Medicine
Johns Hopkins University
School of Medicine

TH/rmj

MedStar Health

3001 South Hanover Street, Baltimore, Maryland 21225-1290

MAR 7 2003 1:14PM
NO. 444 P. 2/7



UNITED STATES DEPARTMENT OF EDUCATION
FEDERAL STUDENT AID
APPLICATION, SCHOOL ELIGIBILITY
AND DELIVERY SERVICES
SCHOOL ELIGIBILITY CHANNEL
WASHINGTON, DC 20202-5340

Mr. Daniel E. Lungren
Venable LLP
575 7th Street NW
Washington, DC 20004-1601

APR 14 2004

Dear Mr. Lungren:

Your letter to Secretary Paige on behalf of Saba University in Saba, Netherlands Antilles has been referred to the School Eligibility Channel (SEC), Federal Student Aid (FSA), for reply. The Foreign Schools Team within SEC reviews and makes determinations on foreign postsecondary institutions that apply to participate in FSA programs.

As you know, Saba University applied for initial approval to participate in FSA programs. Initial applications from foreign graduate medical schools are not that common an occurrence, and one that the Department takes seriously, both in terms of public health and in view of the separate attention this subject is given in the Higher Education Act of 1965, as amended. Title IV certification standards that the Department follows are defined by statute and regulation rather than being ad hoc.

Staff of the Foreign Schools Team are currently reviewing Saba University's application and supporting documents, including the university's audited financial statements and the information the university provided to us on its educational and clinical training programs. We will be pleased to notify you with our "next steps" once we review the documentation at hand.

The Foreign Schools Team may be reached at (202) 377-3168 or by email at:
osfa.foreign.schools.team@ed.gov.

Sincerely,

M. Geneva Coombs
Director
Case Management Teams -- Northeast/Southwest

Daniel E. Lungren

(202) 344-4709

delungren@venable.com

March 29, 2004

Via Hand-Delivery

The Honorable Roderick R. Paige
Secretary, U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Re: Saba University School of Medicine

Dear Mr. Secretary:

We are turning to you, with some reluctance, to seek your assistance in concluding the review of the application filed by the Saba University School of Medicine in mid-2003 to be certified as eligible to offer federally guaranteed loans to its students. We ask for your personal attention to this because the School has satisfied every reasonable standard promulgated by your Department, but its application has been in limbo the last several months.

With every passing month, several hundred worthy U.S. students enrolled at Saba University are denied the benefit of federally guaranteed loans that are intended to assist such students in financing their education. This is contrary to sound educational policy and, in our view, contrary to the general principles of the Bush Administration as well as the principles you have articulated for the Department. Accordingly, we would appreciate your attention in concluding the review of this application.

We are particularly troubled because Saba University has an excellent record, with its graduates achieving coveted residencies (please note attached list of residencies) and more than 500 graduates now practicing medicine in the United States. Moreover, it has satisfied all of the Department's standards for certification, with site visits by and approval from the New York State Education Department and the Accreditation Commission on Colleges of Medicine (which accredits several medical schools, including another Caribbean medical school that offers federally guaranteed loans to its students). In addition, Saba University has proffered a substantial letter of credit to satisfy the Department's financial responsibility requirement. Nevertheless, its application seems to have been on hold for the last several months, even though the Department has not given any notice of a deficiency.

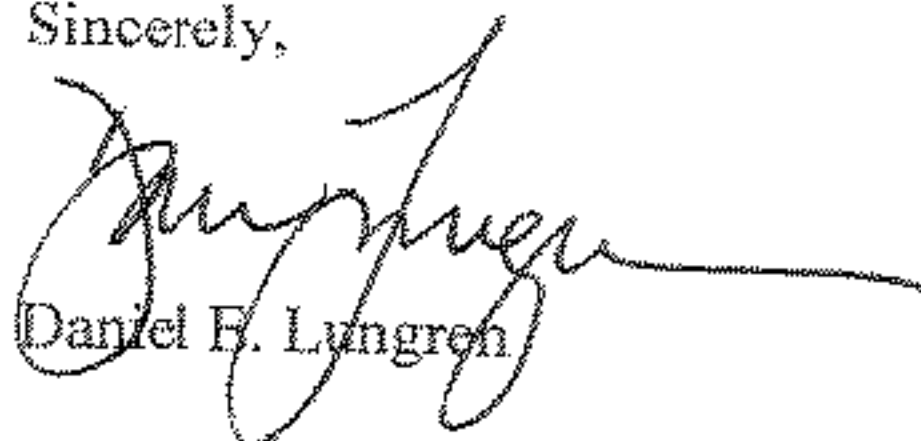
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U.S. DEPARTMENT OF EDUCATION

The Honorable Roderick R. Paige
March 26, 2004
Page 2

It has been suggested that the Department is in the process of developing new standards for the review of foreign institutions seeking initial certification, such as Saba University, and that this is extending the review time. We do not know whether this is the case but, if it is, we point out that the delay is becoming excessive and costly to American students. Further, it might appear that Saba University is being held to a different standard than other foreign medical schools. We are confident that this is as troubling to you as it is to us.

We appreciate your attention to this matter and your effort to provide the benefit of federally guaranteed loans to our students attending this worthy institution. If I can provide any additional information, please do not hesitate to call me at any time.

Sincerely,



Daniel E. Lungren

Attachment

Saba University School of Medicine
Top Residencies of Graduates in Recent Years

Mayo School of Graduate Education Program (6—Gaebe, Griggs, Nicholson, Perrin, Schwartz M&T)
Georgetown University Hospital Program
Brown University Program
Wake Forest University School of Medicine
Duke University Hospital Program
Dalhousie University
Cleveland Clinic Foundation Program
Case Western Reserve University
University of Illinois College of Medicine at Chicago Program
University of Virginia Program
Tufts-New England Medical Center Program
Boston University Medical Center Program
Baylor College of Medicine Program
Sloane Kettering Cancer Center
University of Pennsylvania Program
Barnes-Jewish Hospital Program
MCP Hahnemann University
Yale University Program
University of Connecticut Program
Texas A&M/Scott & White Program
University of South Carolina Program
University of Kentucky Medical Center Program
CDC-Research Fellowship
University of Florida Program
University of Miami Program
Thomas Jefferson Medical College
Parkland Hospital
Mount Sinai School of Medicine
East Carolina University Program
University of Minnesota Program
Tulane University Program
University of Tennessee Program
Temple University/Samaritan Program
Henry Ford Hospital Program
Seton Hall University School of Graduate Medical Education Program
Cook County Hospital Program
University of Illinois College of Medicine Program
University of Maryland Program
UMDNJ-Robert Wood Johnson Medical School Program
St. Louis University School of Medicine Program
University of Arizona Program
University of Vermont Program
University of Nevada Program
University of Utah Program
University of Michigan Program
(3/15/04)

Saba University School of Medicine
Top Residencies of Graduates in Recent Years

Mayo School of Graduate Education Program (6—Gaebe, Griggs, Nicholson, Perrin, Schwartz M&T)
Georgetown University Hospital Program
Brown University Program
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Duke University Hospital Program
Dalhousie University
Cleveland Clinic Foundation Program
Case Western Reserve University
University of Illinois College of Medicine at Chicago Program
University of Virginia Program
Tufts-New England Medical Center Program
Boston University Medical Center Program
Baylor College of Medicine Program
Sloane Kettering Cancer Center
University of Pennsylvania Program
Barnes-Jewish Hospital Program
MCP Hahnemann University
Yale University Program
University of Connecticut Program
Texas A&M/Scott & White Program
University of South Carolina Program
University of Kentucky Medical Center Program
CDC-Research Fellowship
University of Florida Program
University of Miami Program
Thomas Jefferson Medical College
Parkland Hospital
Mount Sinai School of Medicine
East Carolina University Program
University of Minnesota Program
Tulane University Program
University of Tennessee Program
Temple University/Samaritan Program
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UMDNJ-Robert Wood Johnson Medical School Program
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University of Arizona Program
University of Vermont Program
University of Nevada Program
University of Utah Program
University of Michigan Program
(3/15/04)

DOW, LOHNES & ALBERTSON, PLLC
ATTORNEYS AT LAW

BARBARA A. GOFFMAN
DIRECT DIAL 202-776-2051
bgoffman@dlatw.com

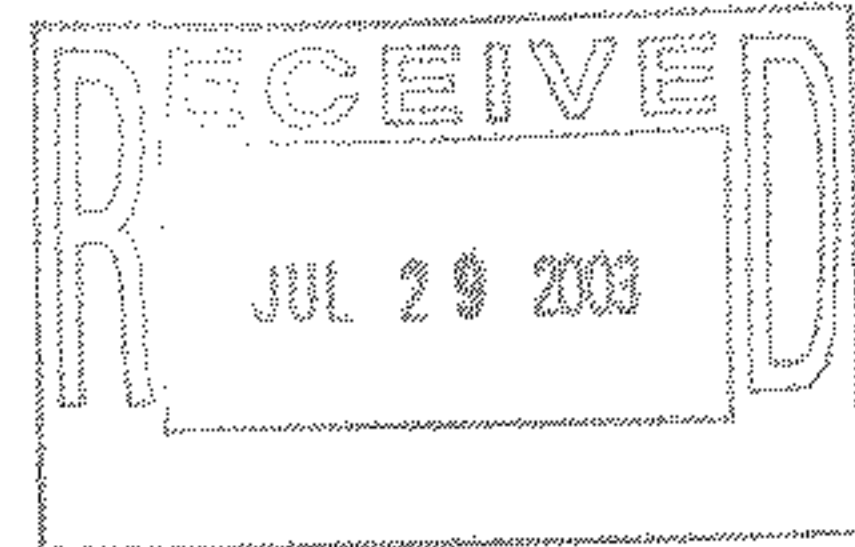
WASHINGTON, D.C.
1200 NEW HAMPSHIRE AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036-6802
TELEPHONE 202-776-2000 • FACSIMILE 202-776-2222

ONE RAVINIA DRIVE • SUITE 1600
ATLANTA, GEORGIA 30346-2108
TELEPHONE 770-901-8830
FACSIMILE 770-901-8874

July 28, 2003

VIA HAND DELIVERY

Janet L. Buntebart
Team Leader
Foreign Schools Case Team
U.S. Department of Education
Union Center Plaza
830 First St. N.E.
Room 73C4
Washington, DC 20202



Re: Saba University School of Medicine

Dear Ms. Buntebart:

We are writing in connection with Saba University School of Medicine's initial application to participate in the Title IV Programs, which was filed electronically with your office on June 20, 2003. As you may recall, the University is a graduate medical school located on the Caribbean island of Saba. The University is hopeful that its application can be approved quickly so that it will be able to offer federally guaranteed loans to its incoming fall-quarter students.

Attached here is a copy of an approval letter issued on May 29, 2003 by the New York State Education Department following a site visit by a state delegation to the University in April of 2003, which included a review of the University's facilities, administration and educational programs. In addition, as you know, the Accrediting Commission on Colleges of Medicine, an accrediting agency that is well known to the Department's National Committee on Foreign Medical Education and Accreditation, has conducted a site visit to the University's campus that has already been filed with your office. We believe that the New York approval letter attached here discussing the site visit, issued by the official agency that oversees medical education in the state of New York, conclusively demonstrates that the University exists and operates as described in the pending application, and therefore eliminates any need for a separate visit by the Department in connection with its review of the application. We respectfully request that the Department proceeds promptly with its review of the pending application without the time or expense involved in a site visit, since New York state (as well as the ACCM) has conducted a thorough visit.

Janet L. Buntebart

July 28, 2003

Page 2

Thank you for your prompt attention. Please do not hesitate to contact us if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara A. Goffman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Jonathon C. Glass

Barbara A. Goffman

Counsel to Saba University School of
Medicine

Enclosure

cc: David L. Fredrick

DOW, LOHNES & ALBERTSON, PLLC
ATTORNEYS AT LAW

JONATHAN C. GLASS
DIRECT DIAL 202-776-2691
jglass@dowlohn.com

WASHINGTON, D.C.

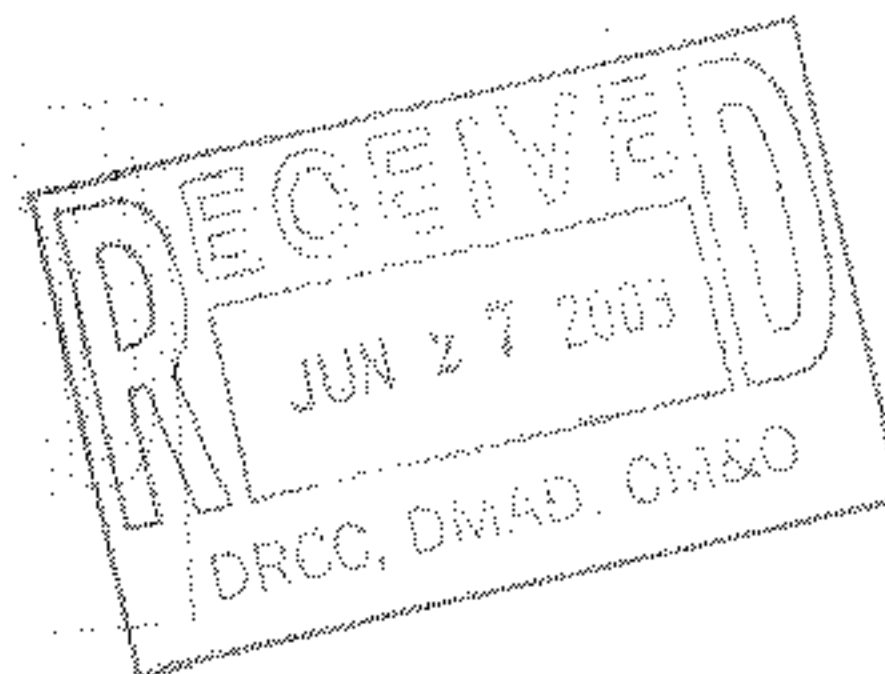
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FACSIMILE 770-901-8574

June 27, 2003

VIA HAND DELIVERY

Janet L. Buntebart
Team Leader
Foreign Schools Case Team
U.S. Department of Education
Union Center Plaza
830 First St. N.E.
Room 73C4
Washington, DC 20202



Re: Saba University School of Medicine

Dear Ms. Buntebart:

We are writing in connection with Saba University School of Medicine's (the "University") initial application to participate in the Title IV programs, which was filed electronically on June 20, 2003. The University is a graduate medical school located on the Caribbean island of Saba and accredited on behalf of the Saban government by the Accreditation Commission on Colleges of Medicine ("ACCM"). The Department's National Committee on Foreign Medical Education and Accreditation ("NCFMEA") recently ruled that the standards of accreditation for the medical school in Saba are comparable to those of the United States, to satisfy the requirements of 34 C.F.R. § 600.55(a)(4)(i)(B)(2). A copy of the NCFMEA letter is attached.

On behalf of the University, we are attaching here the required hard copy documents in the following order:

- Signature page.
- Two documents establishing that the University is a nonprofit entity under applicable law. Specifically:

(1) A letter dated May 22, 2001 from the lieutenant governor of Saba to the Kansas State Board of Healing Arts (the "Kansas Letter") confirming that the University is "a 'non-profit' Foundation approved in the Netherlands-Antilles[;]" and

(2) A report of the Commission of Good Services of the Netherlands-Antilles also holding (in the last paragraph of page 2) that the University "is a non-profit Foundation[.]" Please note that we have redacted portions of this report that are related to a separate entity.

- Two letters confirming the University's legal authorization to operate as a postsecondary institution in Saba and to provide graduate medical education. Specifically:

(1) the aforementioned Kansas Letter from the lieutenant governor of Saba stating that the University was approved in 1986 by the Executive Council of Saba and later by the Kingdom of the Netherlands; and

(2) a letter dated January 21, 1988 from the minister of health of the Netherlands-Antilles certifying that University graduates will be eligible for licensure to practice medicine in the Netherlands-Antilles.

- A January 2003 report (the "Report") titled "The Inspection Report of the Accreditation Commission on Colleges of Medicine of Basic Science Campus, Saba University School of Medicine, Island of Saba, Netherland Antilles," describing ACCM's November 2002 site visit to the University and, on page 34 of the Report, granting accreditation to the University for a period of two years beginning January 1, 2003.

- The University's most-recent catalog. Because English is the first language of Saba, the catalog is printed in that language and no translation of this document (or any other in this application) is necessary.

- The University's financial statements for its fiscal years ended December 31, 2000 and 2001. These statements were audited according to the standard audit procedures of Saba. The University expects to have its 2002 financial statements completed and available in the near future.

- Letters from Jackson Park Hospital of Chicago, Illinois, and Harbor Hospital Center of Baltimore, Maryland, both dated March 7, 2003, confirming that, since 1991 and continuing to the present, the University's clinical training program was approved at these hospitals, consistent with the requirements at 34 C.F.R. 600.55(a)(5)(ii) that the University's clinical training program was approved by a state as of January 1, 1992 and is currently approved by that state. Both of these hospitals are approved, respectively, by the medical licensing boards of Illinois and Maryland as teaching hospitals with clinical rotation programs. Approval by either of these hospitals satisfies the requirements at 34 C.F.R. 600.55(a)(5)(ii) because these hospitals are authorized as teaching hospitals by the states of Illinois and Maryland and therefore the hospitals' approval of the University clinical training programs constitutes approval by the states of Illinois and Maryland. Neither of these states issues approvals specifically intended to approve a medical school's clinical training programs. Rather, the states approve teaching hospitals, and it is such hospitals that have the authority to approve a medical school's clinical program and accept the medical school's students into the hospital's clinical rotations.

Janet L. Buntebart

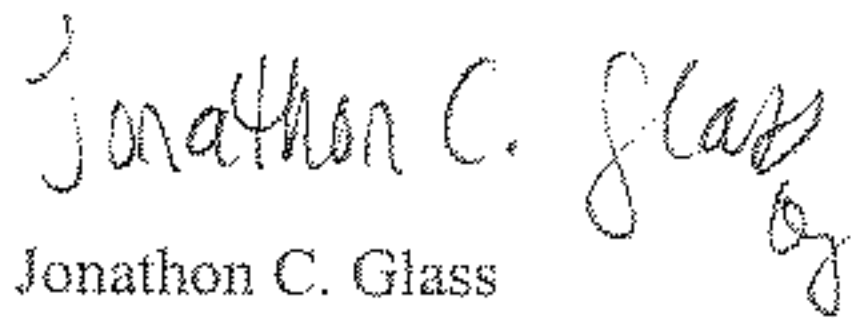
June 27, 2003

Page 3

We believe that these documents satisfy all requirements for the Department to process the University's application and find it eligible to participate in the Title IV Programs. We also would like to point out that ACCM conducted a site visit before its recent approval, as described in the ACCM report. This visit should satisfy any Departmental concern that a site visit should be made by the Department before the application is processed.

Thank you for your prompt attention. Students are making plans to enroll for the fall quarter and the University is hoping that it can then offer them federally guaranteed loans. Please do not hesitate to contact us if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Jonathon C. Glass" with a stylized flourish at the end.

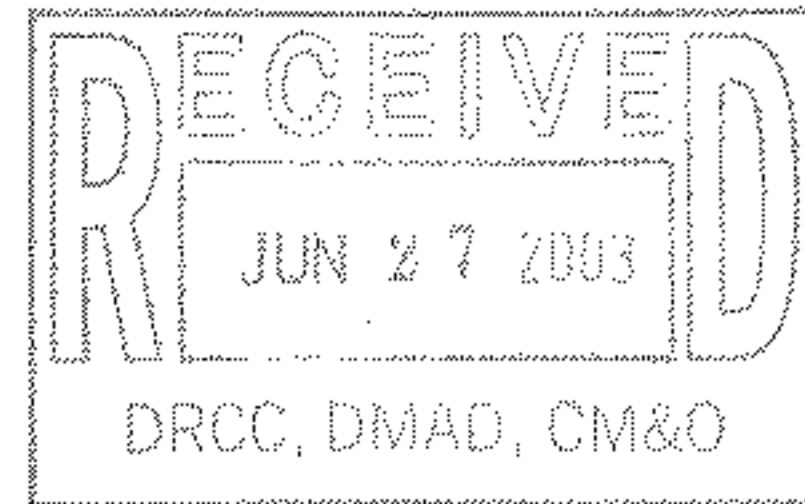
Jonathon C. Glass
Barbara A. Goffman
Counsel to Saba University School of
Medicine

Enclosure

cc: David L. Fredrick

**The Inspection Report of the Accreditation
Commission on Colleges of Medicine**

Of



Basic Science Campus

Saba University School of Medicine

Island of Saba

Netherland Antilles

November 11th – 14th, 2002

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Confidentiality Statement

This report is intended to be viewed only by the following:

- i. The Accreditation Commission on Colleges of Medicine
- ii. The Government of the Island of Saba and/or its designee/s
- iii. The National Committee on Foreign Medical Education and Accreditation of the U.S. Department of Education
- iv. The Administration and Faculty of Saba University School of Medicine

As the report is confined to the abovenamed, it is therefore to be considered a confidential document.

Chronology of Application Process

The Accreditation Commission on Colleges of Medicine (ACCM / The Commission) received a letter dated April 6th, 2002 from the Honorable Antoine J. M. Solagnier, Governor of the Island Territory of Saba, requesting an inspection of Saba University School of medicine (the School / Institution / SUSOM) for the purpose of accreditation of the School. **(Exhibit 1)**

A meeting of ACCM was held in the Royal College of Surgeons in Dublin on May 23rd, 2002 and agreed in principle to carry out an inspection of the Basic Science Campus pending receipt of further documentation requested by the Chairman of the Commission on June 9th, 2002. **(Exhibit 2)**

The School was subsequently informed of the decision on June 11th, 2002 and the following documents were sent:

- i. Copy of the Elements and Protocol
- ii. Summary of the inspection procedure
- iii. Copies of resumes of the inspection team

College Profile and Self-Study Report

The Commission received an Institutional Self-Study and Profile (ISSP) which was considered by its members and deemed to be thorough in content. All statistics were applicable to the academic years of 2001 and 2002. The Commission was informed that administration, faculty committees, academic divisions and students had participated in the compilation of the ISSP.

Membership of the Inspection Team

Ratification of the members of the Inspection Team (the team) took place at a full meeting of the ACCM at the Royal Society of Medicine in London on November 1st, 2002.

The team consisted of:

- i. **Dr Anthony Peacock**, Convenor, and founder member of the ACCM; Family Practitioner in a University-affiliated teaching practice in Dublin, Ireland

- ii. **Professor Conor Ward**, Chairman of the ACCM and Professor Emeritus of Paediatrics, University College Dublin, Ireland
- iii. **Professor Brian Lawlor**, Professor of Psychiatry of Old Age, Trinity College Dublin, Ireland, practising at St Patrick's Hospital Dublin, Ireland

The findings of this report are attributable to the Inspection Team.

Purpose of the Inspection

To provide a comprehensive inspection of the School to ensure that it complies with the Elements of Accreditation as defined and revised by the ACCM based on standards laid down by the Liaison Committee on Medical Education (L.C.M.E.)

Notification to U.S. Department of Education

The Chairman of the ACCM notified the Executive Director of the NCFMEA in writing on October 14th, 2002, of the proposed visit. A copy of the "Heads of Agreement" between the ACCM and the Government of Saba was enclosed. **(Exhibit 3)**

Background of the School

In June 1986, members of the Saba Government consisting of the Lieutenant Governor and the Commissioner for Health and Education met Dr David Fredrick, a medical educator from the United States, to discuss the possibility of establishing a medical school on the island.

An evaluation team was appointed by the Minister for Health in Curacao in 1986 to develop a medical curriculum, policies and procedures which were completed by 1988. Licensure was granted to the School in January 1988, which also included registration of the School in the W.H.O. Directory. **(Exhibit 4)**

A deed of foundation registering "Saba School of Medicine Foundation" as a "not for profit foundation" was signed in October 1988. **(Exhibit 5)**

Final approval was granted by the Government of Saba in October 2002 when the School was officially chartered and recognised by the Government to confer upon its students the M.D. degree. (Exhibit 6)

The basic science facility, which consists of 227 students and 35 full-time faculty, is located on the Caribbean island of Saba which is 25 miles south of St. Maarten. The island has a surface area of 5 square miles and a population of approximately 1,300 residents. Access from the USA and Europe is via St. Maarten, a neighbouring island.

All clinical facilities are based in the USA and Canada and will be referred to under **Element 4** "Curriculum".

Government of Saba

The team paid a formal visit to Government House and met with His Excellency, Lieutenant Governor Antoine J. M. Solagnier, Commissioner Lisa Hassell, Minister for Health and Education, and Commissioner Will Johnson to appraise them further of the accreditation process.

The team was made aware that a satisfactory relationship exists between the School and the Government, with any matters of concern being discussed whenever the need may arise. The team undertook to report to the Government on an annual basis with regard to the accreditation process concerning the School.

Synopsis of Inspection Findings

The team was left with the overall impression that this is a well run Medical School by a dedicated professional team who have a clear priority to provide their students with a sound medical education in a quality environment. The specific strengths were:

- The period of six years taken to establish a medical school gave the team the impression that the concept was carefully deliberated and well thought-out given the possible socio-economic and environmental impact such an operation could have on a small island.
- The relationship between the Government of the island of Saba and the School appears to be a positive one, and it was obvious to the team that if and when problems arose they would be dealt with in a constructive fashion

- The School has established a proper mission statement, goals and objectives appropriate to its size
- The School is administered in a proper manner with an active Board of Trustees. Senior administrative personnel and faculty committees have clearly delineated roles and act accordingly. Reporting of all committees was also deemed to be appropriate and satisfactory.
- The curriculum was of a comparable standard to other schools, both in substance and length to ensure a good knowledge in basic sciences.
- The team was impressed by the continued academic assessment of students in all subjects and the various methods used for examinations.
- Morale appeared to be high among students and general satisfaction was expressed about their course and the physical amenities.
- There appeared to be good rapport between faculty and students and there was a satisfactory process for both academic and personal counselling in place.
- The team was especially impressed by
 - the Physical Diagnosis and Introduction to Clinical Medicine courses as a way of helping students to apply their Basic Science knowledge to clinical situations and the positive influence it can have on students in allowing them to accommodate to their clinical clerkships more easily
 - The clearly defined admissions criteria set out for all applicants with a raising of GPA standard and a reduction of student numbers showed a clear policy in prioritising quality.
 - The clearly delineated criteria employed by the School to which the students must comply to achieve promotion to the next phase of the course.
 - The School's policy for counselling students about financial matters regarding loans, daily costs and debt management.
 - The modern teaching aids employed for didactic lectures, practicals and laboratory sessions.
- The school has a sound financial base, has no debt and has provided a reserve fund in the event of financial difficulty.
- All physical facilities are of a high specification with ample space for administration, faculty and students to pursue their academic duties.
- All ancillary facilities, e.g. dormitories, reading-rooms, library and leisure areas were also of a high standard.

Recommendations:

The Commission has indicated that

- i. A target figure of 85% to be attained by the year 2008 for all first time takers in USMLE 1
- ii. A designated course in Therapeutics should be introduced to the Basic Science Programme, to comply with the current Elements and to be in place by the time of the next inspection.
- iii. A Chief Financial Officer should be appointed by the Board of Trustees and the appointee's resume should be furnished to the Commission. (Confirmation of this appointment was received on December 23rd, 2002.) (Exhibit 34).
- iv. A report from the Executive Dean to be submitted to the Commission by June 2003 in accordance with Element 3.

Schedule of Visitation

(Exhibit 7)

Element 1: Educational Goals

The School has published a "Mission Statement, Goals and Objectives" in its Institutional Catalogue and ISSP. (Exhibit 8)

The team was informed that the goals have been adopted by the Board of Trustees and are reviewed annually by the Board and every six months at Executive Committee meetings.

The School sponsors an M.D. degree which is conferred on all students who have successfully completed their undergraduate training. The School also provides students with an opportunity to complete an M.Sc. degree in Hyperbaric Medicine while completing the Basic Science Programme of their medical degree course. This takes four semesters to complete. Students may also opt to take a Master's Degree in Organisational Development with an emphasis on Health Care Administration. This is a joint programme with the Fielding Institute in Santa Barbara, California.

The team was informed that the School is actively involved in health-care on the island as it participates in the local hospital by providing medical expertise, as well as participation with local agencies, e.g. Red Cross, Hurricane Emergency Committee, Visiting Home Care Service and the Saba Marine Park Hyperbaric Facility. Research projects are presently being undertaken by faculty involving the island population as well as designated research projects being undertaken by students as part of their Basic Science Programme, and in so doing realise the objectives of the Institution.

USMLE Results:

1999 (includes 7/1/98-6/1/99)

| | | |
|--------|------------------------|-----|
| Step 1 | First time pass rate = | 85% |
| Step 2 | First time pass rate = | 88% |

2000 (includes 7/1/99-6/1/00)

| | | |
|--------|------------------------|-----|
| Step 1 | First time pass rate = | 76% |
| Step 2 | First time pass rate = | 91% |

2001 (includes 7/1/00-6/1/01)

| | | |
|--------|------------------------|-----|
| Step 1 | First time pass rate = | 73% |
| Step 2 | First time pass rate = | 83% |

2002 (includes 7/1/01-6/1/02)

| | | |
|--------|------------------------|-----|
| Step 1 | First time pass rate = | 66% |
| Step 2 | First time pass rate = | 86% |

Conclusion:

The Commission is satisfied that

- i. A proper Mission Statement and a list of goals and objectives is published
- ii. The goals are appropriate to the Medical School as evidenced by the participation of the Institution in health-care delivery and research on the island

Recommendation:

A target figure of 85% to be attained by the year 2008 for all first time takers in USMLE 1

Element 2: Corporate Organisation

The Institution is governed by a Board of Trustees which is designated as the highest governing authority of the School. **(Exhibit 9)**

The team noted however during its visit that the President of the School was a current member of the Board, although having no voting rights. The team was of the opinion that this would be inconsistent with the independence of the Board and insisted on his resignation. This was effected immediately. **(Exhibit 10)**. At present, there are six members of the Board of Trustees, whose resumes are attached. **(Exhibit 11)** The Board functions in accordance with its own by-laws and has clearly defined responsibilities. **(Exhibit 12)** The team was informed that the Board meets at least twice per year to review all issues that relate to the government of the Institution and to approve the appointment or terminate contracts of senior administrative staff or faculty. Minutes of previous Board meetings were tabled to the team – the most recent being June 1st 2002 – and were deemed to be satisfactory.

The team interviewed two members of the Board and reviewed all biodata of the remaining members and was satisfied that the present members serve the

Board without conflicts of interest with the School and are independent of the administration.

A list of standing committees was also provided. (Exhibit 13) This report will address the relevant committees in detail under the appropriate Element below.

Conclusion:

The Commission is satisfied that:

- i. The Board of Trustees is the highest governing authority of the School
- ii. Its members are free of conflicts of interest and are independent of the administration
- iii. The relationship between the Board of Trustees, administration and faculty is satisfactory.

Element 3: College Management

The team was provided with a list of senior administrative and faculty personnel for the current academic year. (Exhibit 14)

The team held individual interviews with:

- i. Two members of the Board of Trustees: Kathryn Warr and Eddison Peterson
- ii. The President: Dr David Fredrick
- iii. The Chief Operating Officer (COO): Dr William Cornell
- iv. The Executive Dean: Dr Arthur Maron
- v. The Associate Dean of Clinical Medicine: Dr Patricia Hough
- vi. The Associate Dean of Basic Sciences: Dr Igor Aksenov
- vii. The Assistant Dean of Student Affairs: Dr Ann White

Resumes and Job Descriptions of the above have been inspected by the team and are deemed to be satisfactory. (Exhibit 15)

Members of the Basic Science Faculty were interviewed and will be detailed in Element 8. All senior administrative staff and faculty personnel are approved and ratified by the Board of Trustees. The team felt that the size of the administrative staff as well as the size of faculty allowed effective communication between each other, usually via the standing faculty committees who report to the Executive Dean and then on to the President and Board of Trustees. Given the physical size of the campus in that administrative and faculty offices are concentrated on the one site, this also allows ease of communication.

Chief Academic Officer / Executive Dean

The present incumbent is a qualified M.D. with specialist training in Paediatrics and Public Administration. He was appointed to the post of Executive Dean in June 2002. His resume was furnished to the team (Exhibit 15) and he was considered to be appropriately qualified for the position.

A performance review of the Executive Dean will be held at the June 2003 meeting of the Board of Trustees.

The Commission will request a report from the Executive Dean on the School's strengths and weaknesses by June 2003.

The Executive Dean is supported by an Associate Dean in Clinical Medicine and an Associate Dean in Basic Sciences.

Satellite Health Facilities:

No satellite health facility has been inspected as yet.

Conclusions:

The Commission is satisfied that:

- i. A proper management structure is in place
- ii. All personnel in the administration of the School are suitably qualified
- iii. The Chief Academic Officer/Executive Dean is appropriately qualified and is carrying out his duties efficiently and effectively.
- iv. The Chief Academic Officer is supported by sufficient professional and secretarial staff

- v. The lines of communication between the Chief Academic Officer and relevant committees and the administration are open and functioning well.

Recommendations:

An annual report to be submitted to the ACCM by the Chief Academic Officer, appraising the strengths and weaknesses of the School, as well as any specific issues to which the ACCM has drawn attention. These are detailed in "Requirements" under "Accreditation Decision".

Element 4: Curriculum

The curriculum is divided into two parts:

- i. Basic Science Programme which is five semesters in length over 20 months
- ii. Clinical Medicine Programme is composed of 42 weeks in core rotations and 30 weeks electives. The School requires a four week elective in primary care medicine and a four week elective in a medical subspecialty.

The programmes and courses offered are published in the Institutional Catalogue and ISSP. The present curriculum has been in effect since 1992, with occasional modifications. The most recent changes have included new courses in Medical Informatics and electives in research which were implemented in 2001. In September 2001 a course of "Integrative Study of the Basic Sciences" was introduced to replace USMLE Review Course.

Basic Science:

Comprises the following subjects:

(*Credit hours in parentheses)

| FIRST SEMESTER | CLOCK HOURS | | |
|----------------|-------------|------------|----------|
| | Lecture | Laboratory | Tutorial |
| Anatomy (11) | 80 | 129 | 15 |

