
Council of Regional Accrediting Commissions

April 24, 2015

Middle States
Commission
on Higher Education
MSCHE

The Commission
on Institutions of Higher
Education, New England
Association of Schools
and Colleges
NEASC

Higher Learning
Commission
of the North Central
Association of Colleges
and Schools
HLCNCA

Northwest Commission
on Colleges and
Universities
NWCCU

Southern Association
of Colleges and Schools
Commission on Colleges
SACSOC

Accrediting Commission
for Community and
Junior Colleges,
Western Association of
Schools and Colleges
ACCJC/WASC

WASC Senior College
and University
Commission
WSCUC

TO: The Honorable Lamar Alexander, Chairman
Senate Committee on Health, Education, Labor and Pensions
U.S. Senate

**SUBJECT: Comments on Higher Education Accreditation:
Concepts and Proposals**

Dear Chairman Alexander:

On behalf of the Council of Regional Accrediting Commissions (C-RAC), I am pleased to have this opportunity to comment on your recently released Higher Education Accreditation: Concept and Proposals white paper ahead of Congressional action for reauthorization of the Higher Education Act (HEA).

The introduction of the white paper begins with an articulation of your overall goal, to “improve and enhance academic quality and student success at colleges and universities.” C-RAC unequivocally shares in this goal and believes the white paper accurately reflects many of the issues and challenges facing accreditors and institutions as we strive toward meeting this goal.

Student success is one area of particular focus throughout the white paper and we want to assure you of our commitment to the role of accreditation in assuring institutional quality and promoting institutional improvement, particularly with respect to issues of student success.” As required under the Higher Education Act, accreditors assess each institution we accredit

based upon their demonstrated success with respect to student achievement. This is done in relation to each institution’s mission, reflecting the fact that no two institutions are the same. As such, accreditors do not use blunt instruments, such as bright line indicators, to determine if and when an institution is successful in student achievement, but instead enable institutions to document their accomplishments.

Despite the increased responsibilities and burdens of federal regulations, our focus on student success over the past years has only intensified. This trend was documented in

a 2013 survey¹ of all regionally accredited, undergraduate degree-granting institutions conducted by the National Institute for Learning Outcomes Assessment (NILOA). The major findings showed:

1. Stated learning outcomes are now the norm;
2. The prime driver of assessments is due to the expectations of accreditors; and
3. Substantially more student learning outcomes assessments are underway now than a few years ago, and the range of tools and measures to assess student learning has expanded.

At the same time, we acknowledge the concern and frustration expressed by students, parents and policymakers who believe accreditors could be doing more in this important area, and we are committed to continuing to expand our focus in working with institutions to help better measure and document their success in student achievement and hold institutions accountable for these outcomes.

Again, we are pleased to have this opportunity to offer our views on institutional quality as well as other issues reflected in each of the seven proposals included under “Options for Reforming Accreditation.” We look forward to a continued discussion of these issues with you and the other Members of the HELP Committee as you move forward on efforts to reauthorize the Higher Education Act.

Refocus Accreditation on Quality

Proposal #1: Repeal Accreditation-Related Regulations and Statute that are unrelated to Direct Institutional Quality and Improvement

We agree with the argument laid out in the white paper that our ability to focus more on quality and quality improvement would greatly benefit accreditors in freeing us from “burdensome, misguided, and duplicative regulations.” As you, Chairman Alexander, often point out, efforts to improve the Higher Education Act have typically resulted in adding new requirements, without going back to see what prior requirements no longer make sense. We agree with this sentiment and the need to “weed the garden” as it is truly applicable to provisions related to accreditation. For this reason C-RAC has been a strong advocate for scaling back on certain cumbersome federal regulations.

As accreditors, we see first-hand the impact of over-regulation resulting in our having to shift limited staff and resources away from efforts related to institutional quality and improvements to instead respond to a growing list of federal compliance requirements, which we often view as unnecessary. Recent changes to approving “substantive changes” exemplify this over-regulation.

¹ <http://www.learningoutcomeassessment.org/Presentations/AACICDQPmtg.pdf>

As noted in the white paper, accreditors also encounter this issue in having to comply with the myriad of sub-regulatory guidance, including “nearly 93 different criteria that accreditors must consider when determining institutional quality.” These criteria are often burdensome and at times lead to accreditors being required to review elements that are not related to academic quality.

Efforts to address these issues must start with a review of Part H “Program Integrity” of the Higher Education Act, which sets forth the federal criteria through which accreditors are recognized by the Secretary of Education on the recommendation of the National Advisory Committee on Intuitional Quality and Integrity (NACIQI). These provisions encompass ten federally required standards that accreditors must apply to institutions to assess institutional quality and are the foci of the vast majority of regulations and sub-regulatory guidance impacting accreditors.

“Success with respect to student achievement in relation to the institution’s mission...” is the first, and we believe most important, standard listed under the statute. However, for federal purposes, we believe there are other standards that could be considered for repeal, thereby allowing accreditors to have a more streamlined recognition process focused on those issues truly related to institutional quality.

One example is the federal requirement that we have standards assessing institutional “facilities, equipment and supplies.” This particular standard has led to much criticism (including in the white paper) that accreditors focus too much on “inputs” and not enough on outputs – particularly those related to student achievement. Although we believe that examining certain inputs can be an important component of an accreditation review, we agree there’s merit in rethinking the extent to which each of the current standards should be federally mandated (and thus regulated) versus allowing individual accreditors to determine the extent to which they are relevant and if so, how they should be defined and implemented.

Proposal #2: Permit Flexibility and Nuance in Accreditation Reviews

The white paper makes a compelling argument to provide accreditors explicit authority to establish “risk-adjusted” or differentiated reviews, to enable more attention to institutions in need of additional assistance while allowing for expedited accreditation reviews of institutions with “superior track records.” It is worth pointing out, however, that while there are likely to be quite a number of schools that would fall into this “superior” category by nearly any measure, there are perhaps an even greater number of institutions that may fall right on the borderline of “superior” and the next category, and on through the entire new rating system. As a result, while we appreciate the call for clarifying this authority, we are concerned with the potential unintended consequence of establishing a federal regulatory foothold for what would constitute, for example, a “superior track record.”

We also question the extent to which explicit authority is actually necessary. Under the Higher Education Act, accreditors must consistently apply and enforce standards, as determined by their members, which respect the “stated mission of the institution of higher education.” This authority has essentially allowed for “differentiated” reviews among institutions, although accreditation standards themselves remain consistent across all institutions. Between reviews, accreditors use a variety of reports and visits to continually monitor institutions in order to identify those at-risk of not meeting the accreditation standards and in need of greater attention. This same process enables accreditors to provide additional flexibility to low-risk institutions, such as through less frequent reviews. All accreditors can point to examples where this type of “risk-adjusted” approach occurs in their region. This process has worked well for institutions and accreditors alike, and should remain.

Proposal #3: Encourage Gradation, Distinction and Clarity in Accreditation Status and Reviews

Addressing the “pass/fail” dynamic of accreditation as outlined in the white paper is an issue of growing interest among students and institutions alike. C-RAC believes there is room for conversation on what some level of customization of accreditation might look like. However, such a change in accreditation gradations could ultimately require accreditors – unilaterally, or with guidance from the Department of Education or Congress – to begin comparing the relative quality of institutions to determine which would be deemed to fit in each tier. As with the above-mentioned proposal to offer more flexibility of accreditation reviews, we are wary of proposals that could lead to unintended consequence of establishing a federal regulatory foothold for what would constitute different gradations in accreditation. Given recent efforts by the U.S. Department of Education to create a federal college ratings regime, such concern is well founded.

This proposal also highlights the benefit of stakeholder confidence in how accreditors arrive at quality determination through increased transparency. We are pleased this recommendation reflects the benefit of “voluntary actions” as opposed to new federal prescriptiveness in this area, and note that several regional accreditors are in the process of implementing or re-examining disclosure policies and procedures to determine how best to provide meaningful information to students, parents and other stakeholders.

Proposal #4: Delink Accreditation from Institutional Eligibility for Federal Student Aid

C-RAC has grave concerns about the idea of delinking Federal Student Aid eligibility and accreditation. Namely, we believe that delinking student aid and accreditation, would inevitably lead to the federal government taking over the costs and responsibilities to define and monitor institutional quality, thus federalizing the current role of

accreditation. We find it ironic that many of the same proponents of this action are also among the biggest critics of Federal involvement in education in general. These critics seem to want to have it both ways: opposing both the current system and more Federal involvement, while failing to suggest a viable alternative.

Regional accreditation has a successful track record of focusing institutional attention on the overall quality of degrees and credentials. With decades of experience, we are convinced that only a rigorous system of peer review can provide assurance of educational quality across our nation's diverse institutions. Because of the federal interest in a well-educated citizenry, we believe that any discussion of breaking the link with accreditation should come with consideration of a well-developed alternative to ensure educational quality in institutions participating in federal funding for students' education.

Redesign Accreditation to Promote Competition and Innovation

Proposal #1: Establish New Pathways to Accreditation and/or Title IV Eligibility for Non-College Providers of Higher Education

The white paper suggests there is little competition in higher education as a result of "regulatory and accrediting agency barriers to entry." We agree there is room for more entrants of new forms of higher education providers and delivery models. However, the paper is incorrect to assert there has been little competition and innovation under the current accreditation structure. In fact, between 2000 and 2012, the number of private, for-profit 2-year institutions of higher education grew by nearly 50 percent, from 480 institutions to 658. This growth was even greater with respect to for-profit 4-year institutions, which more than tripled in number, from 207 to 710 institutions, during this same period.

The number of postsecondary students participating in new delivery models, most notably through distance education, has also expanded significantly. In 2000, just 8 percent of students were enrolled in at least one distance education course. By 2012, this increased to over a quarter of all students.²

The white paper is correct in asserting there are "non-college providers of higher education" that have the potential to offer students "low-cost and high quality learning options." The paper unfairly suggests that such providers are being blocked from participation in federal student aid programs due to a bias on the part of accreditors. The main barrier to entry is in fact the Higher Education Act, as written by Congress and enforced by the Department of Education, sets forth the criteria for institutional eligibility that prevents their participation. Groups highlighted in the white paper, such

² https://nces.ed.gov/programs/digest/d13/tables/dt13_311.15.asp

as General Assembly and StraighterLine, do not offer programs of significant length to be eligible for student aid. Massively Open Online Courses (MOOCs), also highlighted, by definition offer free on-line courses. In both cases, there is no compelling reason for these entities to seek accreditation – particularly from a regional accreditor.

It is fair to point out that new providers (otherwise offering programs eligible under HEA) face challenges in becoming accredited. Here too, the Higher Education Act is often the source of these barriers. For example, under the law, institutions must be in operation for at least two years prior to being able to participate in Title IV. In addition, while non-profits are able to participate in Title IV during candidacy status, this is not the case with respect to for-profit entities.

The white paper suggests that increasing competition through new accreditors could open the door to new innovative providers. However, in reality, unless changes are made to the underlying requirements for Title IV, simply adding new accreditors (such as states) or expanding the scope of existing accrediting agencies will not result in one single “non-college provider of higher education” becoming eligible to participate in Federal Title IV programs.

Proposal #2: Eliminate the Geographic-Based Structure of Regional Accrediting Agencies

C-RAC asserts that the suggestions made in this specific proposal are not a federal issue that should be considered. We do not agree that accreditation is presently a “non-competitive activity.” In fact, many institutions do have the option and flexibility to seek alternate accreditation from accreditors recognized by the Secretary of Education.

Broadly speaking, C-RAC agrees with the findings from a 2012 Task Force on accreditation by the American Council of Educations (ACE) which concluded³ that “replacing the current structure would be costly and would divert attention from the task at hand” and that it is more productive to “build on the current structure and role of regional accreditation.”

C-RAC believes there are many benefits to regional accreditation on which to build. These include:

- The seven commissions provide a laboratory of ideas and experiments so that regional accreditation can respond to innovation, try varying approaches, and arrive collectively at good practice. This is reflected in the fact that higher education has gone through significant transformation in just the last decade alone – innovations such as distance education and more recently programs offered through competency-based education, including direct assessment, have

³ American Council on Education, *Assuring Academic Quality in the 21st Century: A Report of the ACE National Task Force on Institutional Accreditation*, 2012, p.18, <http://www.acenet.edu/news-room/Pages/Assuring-Academic-Quality-in-the-21st-Century.aspx>

expanded drastically, while accreditors have worked together to ensure quality of these programs.

- Working in regions allows accreditors and evaluators to have a deeper and broader knowledge of the institutions they accredit, due to the limited number of member institutions.
- Regional accreditors have built strong communities of volunteers with an extraordinary depth and range of talent. Currently, over 90 college and university presidents serve on Boards of regional accrediting commissions, along with provosts, faculty members, trustees and experts in finance, technology and student services. Public members include expertise in law, banking, public policy, state government, finance, K-12 education, business, technology and the military.

Furthermore, C-RAC has the following specific concerns with expanding the scope of all regional accreditors to be “national” by enabling institutions to choose any regional accreditor, regardless of boundaries:

- By effectively making each regional accreditor have a national footprint, the cost and complexity of overseeing institutions from potentially every state would vastly increase, while doing nothing to improve higher education in this nation.
- Institutions might lose a sense of ownership in the standards and process of regional accreditation, an important foundation for a system of self-regulation.

Additionally, C-RAC has the following detailed concerns with replacing regional accreditation with a sector-based system or implementing “basic institutional classification”:

- The complexity of institutional variety suggests that there are no bright lines among sectors.⁴ There are 62 members of AAU, but the next 5-10 institutions (at least) are substantially like the first 62. Community colleges comprise another apparently similar group, but with the growth of four-year programs at community colleges (not to mention the existing differences between, for example, large urban- and small rural- community colleges) there is great variety in that group.
- By including a diverse set of institutions, regional accreditation promotes and eases the ability for students to transfer credits between institutions. Sector-based accreditation for institutions might well encourage the perception that

⁴ That said, there is some degree of sector accreditation among theological schools, art schools, music schools, Christian colleges and for-profit institutions.

some accreditation is 'better' or reflects a 'higher level,' and students might then find it even more difficult to transfer their credits or change sectors for a graduate degree.

- Different types of institutions benefit from the experiences, challenges and innovations from one another through the current accreditation system.

Keep Recognition of Accrediting Agencies Independent and Free from Politics

Proposal: Ensure the NACIQI's Independence

While we welcome the first suggestion that the Secretary of Education's authority should be limited from expanding to making policy-related recognition decisions outside of what is legally allowed at present, C-RAC does object to the recommendation of authorizing NACIQI to hire its own accreditation staff. We believe allowing NACIQI to have its own staff would in effect make NACIQI a "shadow" Department of Education, and ultimately required accreditors to go through two separate reviews – which is the last thing we need. This would lead to the process of recognizing an accrediting agency becoming a political affair and would threaten the objective and fair process currently outlined by law.

Under HEA, NACIQI's primary function is to provide recommendations to the Secretary concerning "whether accrediting entities' standards are sufficiently rigorous and effective in their application to ensure that the entity is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits." We believe that NACIQI's role should continue to be defined as such and therefore does not warrant NACIQI expanding to have a specific accreditation staff.

We thank you for this opportunity to provide input on your concepts and proposals for higher education accreditation. We remain committed to working collaboratively with Congress, NACIQI, the U.S. Department of Education and other stakeholders to ensure that our nation continues to have the world's premier system of higher education.

Sincerely,

Barbara Brittingham
Chair
Council of Regional Accrediting Commissions