

24 April 2015

Lamar Alexander, Chair  
Committee on Health, Education, Labor and Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

Dear Senator Alexander:

We thank you for the recent Health, Education, Labor and Pensions Committee paper on accreditation and particularly the identification and exploration of issues key to its public policy role. We appreciate, as well, the opportunity to comment on this important subject.

As you are aware, the Council for Higher Education Accreditation (CHEA) strongly agrees that there is a need to roll back unnecessary regulatory oversight of accreditation. We applaud your stance in this regard and were pleased to participate in the successful Task Force on Government Regulation of Higher Education. We believe that the current functioning of the U.S. Department of Education and its National Advisory Committee on Institutional Quality and Integrity is, at times, not only counterproductive but harmful in the oversight of accreditation and, as a result, to higher education.

While the paper on accreditation addresses the important issue of gatekeeping and leaves open whether or not to sustain this function for accreditation, our suggestions here assume that gatekeeping would be retained as part of the reauthorization of the Higher Education Act. The paper itself is devoted to considerations of change in law and regulation affecting accreditation and its relationship with the federal government. These considerations need not be addressed if a decision to eliminate gatekeeping has been made. Absent sustaining the gatekeeping role in some way, the basis for federal engagement in accreditation is not clear.

At the same time, the paper makes clear, there is little consensus about the public policy role of accreditation. Without such agreement, it is difficult to justify eliminating, modifying or adding law or regulation in this important area. In the absence of a shared understanding of what we want accreditation to do, it is difficult to judge its effectiveness. The result for all of us has been confusion, death by a thousand cuts for accreditation and little progress in addressing legitimate interest and concerns about the long-term quality and effectiveness of our colleges and universities.

This letter provides one approach to a public policy role for accreditation, accompanied by an agenda for the future in order that accreditation effectively carry out this role. It recommends that modification of law or regulation take place only after there is agreement about the public policy role of accreditation and consensus that the agenda for the future is needed as well.

### ***The Public Policy Role of Accreditation***

We urge that the public policy role of accreditation be centered on the primary task of confirming that institutions are operating at a level of performance essential to meet expectations of educational quality as judged primarily by what happens to students. Specifically, if an institution is accredited, it must meet basic expectations about the skills students have gained and the capacities they demonstrate. This means there needs to be some agreement about what constitutes acceptable and unacceptable levels of

performance. This means that schools with limited levels of graduation, achievement of other education goals, transfer, entry to graduate school or obtaining employment in relation to the students served do not warrant accreditation.

As we continue to frame this public policy role, there are decisions to be made about what we do not want or expect accreditation to do. It is impossible for accreditation to assure that every dimension of every accredited institution will function effectively in the future. Where do we draw the line? These are not easy issues to address, but we need adequate boundaries around the public policy role.

For example, questions have been raised about schools that have accredited status, yet their practices have come under scrutiny. This includes such situations as some of the Heald Colleges and questions about job placement data rates. It includes Herguan University in California and visa fraud. It includes the University of North Carolina – Chapel Hill and fake classes for athletes.

### ***To Carry out the Public Policy Role: An Agenda for the Future of Accreditation***

For CHEA, the central issue for accreditation going forward, both in its public policy role and its relationship with colleges and universities, is responsiveness to change. This will be the most significant test of accreditation's value in the next five years, both with regard to its own standards and practices and its work with colleges and universities.

We propose an agenda for the future of accreditation with three parts. The first part is a call for an expansion of quality review in higher education to match the expansion of types of higher education providers underway, whether current accreditors undertake this work or support the work being done by other organizations. The second is a call for further attention to innovation in accreditation standards and practice. The third part is a call to continue and strengthen efforts to enhance the rigor of expectations of quality, enriching what it means to have accredited status and further diminishing the likelihood of substandard institutions either obtaining or sustaining this status. These three advances will enable accreditation to best position itself for a public policy role centered on validating that colleges and universities are performing effectively as judged by what happens to students.

#### ***Expansion of Quality Review: Non-Institutional Education***

Expansion of quality review is about whether accreditation will remain focused solely on the quality of traditional institutions and programs as it moves forward or goes beyond this focus. We are all aware of emerging alternative providers of higher education that are neither institutions nor programs – private companies offering courses, massive open online courses, badge platforms. Millions of students around the world already seek these offerings, with some likelihood that these providers will establish a firm place in the landscape akin to what has happened with community colleges or with for-profit higher education. In the face of such fundamental change, accreditation is challenged to acknowledge and engage quality issues in the new world of higher education.

Accreditors have several alternatives here. Some may make these non-institutional providers part of their range of activity, expanding their quality review beyond institutions and programs. Some accreditors may use their good offices to work with colleagues to establish new accrediting organizations for non-institutional providers, continuing to work together once these new operations are in place. Some may work to establish organizations that house new forms of quality review apart from the prevailing accreditation model.

#### ***Innovation in Accreditation Practice***

Accreditation does an excellent job of innovation within the framework of review of traditional higher education that it has undertaken for many years. Thus, accreditation has accommodated new types of degree-granting institutions such as the development of community colleges. It has accommodated new modes of instructional delivery such as distance learning in degree-granting institutions. It has accommodated the growth of for-profit higher education – perhaps challenged at times by unfamiliar business models and organizational structures – but accreditation has been effective here.

All of this has taken place using the long-standing, standards-based approach of accreditation, relying on self-study and peer review that is thorough and painstaking. However, two issues are emerging that call for re-examination of this process. First, typically, achieving or even renewing accredited status takes years. New institutions are emerging and developing with a speed that is at odds with the deliberate pace of traditional accreditation. Second, continuing to use current standards and practices means that, for new types of institutions to become accredited, they must become more like a traditional institution than may be desirable or practical. This may not align with the purposes that many of these new institutions were created to serve.

Several actions are within the purview of accreditation and would prove useful here. Accreditors can develop alternative standards for different forms of institutions. They can develop a number of different types of accreditation review. Accreditation can develop a special review for new institutions – not waiting for years to pass to have a graduating class, for example. This could be a variant or extension of the current “candidacy” concept used by a number of accreditors now. Already, some accommodation has been made in this area. For example, the University of the People, an online institution with volunteer faculty and no tuition, is now accredited. Minerva, with its global experience, staff across many countries and scaffolded curriculum, is now accredited.

Accreditation can make significant revisions in its data- and information-gathering and verification processes that would help to expedite a thorough review of an institution. In today’s world, a good deal of the information relevant to determination of educational quality can be developed and digitally delivered efficiently and effectively, augmenting a self-study or site visit or, in some areas, streamlining the work of a self-study or site visit. Some accreditors have already moved in this direction.

#### *Further Strengthening Rigor in Accreditation Review*

The longstanding, highly effective formative approach of accreditation – assuring threshold quality and assuring capacity for improvement – is challenged in today’s environment. Accreditation was invented to review typically reliable institutions and assist them in improving. However, with so many new and diverse providers and types of offerings, maintaining the longstanding approach now comes at a price for students and society. It can, however unintentionally, result in the granting and maintaining of accredited status for some schools with questionable levels of performance in areas such as graduation, transfer and job placement. Substandard institutions remaining accredited but continuing to sustain, e.g., very low graduation rates and very high attrition rates, creates harm for students and society – and for accreditation. The group of substandard institutions may not be large, but it is not acceptable.

Accreditation can raise its threshold performance expectations for initial or continuing accreditation, giving appropriate attention to institutional mission or type. Accreditation can not only have strong standards to become and maintain accreditation, it can be even more demanding in enforcing those standards.

So, this is an agenda for the future of accreditation: (1) expanding quality review of higher education either through enlarging the range of activity of current accreditation or establishing new organizations to provide quality review of alternative, non-institutional providers, (2) promoting further innovation in accreditation through change in standards and review practices to address new types of colleges and universities and (3) enhancing the rigor of accreditation to assure that only institutions that have clearly demonstrated effective performance obtain and keep accredited status.


To realize this public policy role and agenda for the future while accreditation remains subject to federal oversight will require a fundamental change in the regulatory regime to which accreditation is currently subject. Just as accreditation is a creature of traditional higher education, so is the Higher Education Act and accompanying regulation. A regulatory environment that supports the expansion of quality review, innovation in accreditation practice and rigor will look radically different from the present context.

We have a mismatch between current law and regulation and the proposed public policy role for accreditation. Even if just a few of the suggestions for change above were implemented, it would mean that accreditors and institutions would need freedom and flexibility to, e.g., create new standards for new institutions and different standards for alternative providers, use a variety of approaches to examining institutions, revise standards to focus primarily on evidence of student competence from institutions

seeking accreditation and expedite processes to terminate accreditation. In other words, implementing the agenda for the future means that the accreditation process will become more diverse, use more tools and shift the majority of its attention to student achievement as key to judging institutional performance.

Much of what is described above could not take place under current law and regulation. What might be done? First, acknowledge the public policy role of accreditation going forward in law and regulation. And, be explicit about what accreditation is not to do. This means taking away extraneous expectations such as calling on accreditors to make decisions about business models, facilities and organizational structures. Second, focus on law and regulation that encourages responsiveness to change. Third, to the extent that federal funds are to be available to new providers of higher education and accredited status is an expectation here, develop, e.g., experimental sites or demonstration programs for alternative forms of accreditation review.

Do we want an accreditation enterprise that is more expansive, more innovative and more rigorous? The hard work must come from the accreditors and institutions working together, but the Higher Education Act must be fashioned to support, not inhibit, these efforts.

Sincerely,  
  
Judith Eaton  
President