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Remarks on the Next Reauthorization of the Higher Education Act to  
the National Advisory Committee on Institutional Quality and Integrity  
February 3, 2011

Based on 35 years of research, building and analyzing national data sets for the U.S. Department of Education (including 10 published monographs and five reference works), serving on 12 technical review panels for the National Center for Education Statistics, intense involvement in the higher education work of national commissions dating to the production of *A Nation at Risk* (1983), considerable research and publication on international comparative education and data matters since leaving the Department in 2006, and currently working on two large sponsored projects on both degree production and degree quality, I wish to offer two sets of comments to NACIQI concerning the coming reauthorization of the HEA.

The bulk of my comments address graduation rates and the current graduation rate formula, and on this topic I will justify and propose an alternative to a mechanism that accounts for only half of our students. The second, addressed briefly at this point, concerns the recent birth of a transformational process to establish a “qualifications profile” for associate’s, bachelor’s, and master’s degrees, hence to bring transparency and meaning to the credentials we award—something that has been sorely lacking, and that no reform effort in the past quarter-century has addressed in a convincing manner. On this score, I will simply urge the Federal government to stay away from the process completely, and let it run its course. Two of the regional accreditation agencies are receiving grants to experiment with what is known as the Degree Qualifications Profile (DQP); others will join in time as the system learns what this is about, how it might work, and where modifications are necessary. It will be 5-6 years until we all have learned enough to report and be judged. In the meantime, please stay away and let this be a ground-up phenomenon, as the competency-based DQP is truly a transformational challenge to U.S. higher education and best nurtured within its community.

### Graduation Rates and Their Formulas

Let us begin with a simple observation: the current President of the United States, Barack Obama, is not counted as a college graduate by the ridiculous formulas employed under the HEA. He began his higher education at Occidental College in California, and transferred to Columbia University in New York, from which he received his BA. One out of five students who starts in a 4-year college and earns a bachelor’s degree follows a similar path. Twenty percent (20%) is not a small number. We don’t count transfers-in. And in this case—like so many others—our formulas penalize Occidental because he started there but did not finish there, and granted Columbia no credit when he earned his degree.

Our reference point in all this is the institution, not the student. May I remind you that *students* graduate, institutions do not. Institutions may “retain,” but students “persist,” and Federal business (indeed, everyone’s business) is about students.

And if we don’t count “horizontal” 4-year to 4-year transfers we do not count community college transfers to 4-year institutions either, 60 percent of whom earn bachelor’s degrees within 8 years of entering higher education. . . .

. . . which raises another issue: the measurement of time-to-degree in a highly mobile society. In this respect, let us offer another simple observation: in 2006 (the last year for which I have data), 28,000 members of the *active duty military* earned associate’s degrees; 9,000 earned bachelor’s degrees. Average time to degree for these public servants was 7 years for the associate’s and 12 years for the bachelor’s. The formulas and mechanisms of our Graduate Rate Survey doesn’t count them, either because we put a cap of 4 years for the associate’s and 8 years for the bachelor’s (granted that is an improvement over the previous formula). Shame! As we speak today, there are 350,000 members of the active duty military enrolled in higher education courses all over the world, students who have been redeployed enough times to guarantee that they have enrolled in 4 or 5 schools, and never full-time (after all, they have something else to do for us, don’t they?)—and we don’t count such people. Shame!

We also don’t count anyone who starts their higher education in winter or spring terms: 20 percent of our students do, including a lot of those active duty military (along with veterans). We count only people who start in the fall term.

There is something called “life,” that gets in the way of our blind formulas, and one way to see it is to compare the postsecondary histories of your daughter and your brother-in-law, i.e. those who enter higher education directly from high school and those who enter at or beyond the Title IV age of independence (24). Your daughter and your brother-in-law live on different planets, in case you haven’t noticed. And your brother-in-law, who comes with 2 kids, 2 jobs, and 2 cars is certainly not going to complete degrees within the arbitrary and artificial time brackets we prescribe.

So I suggest we re-construct the way we compute graduation rates so as to be honest, to account for and respect something called “life” as follows, to include just about all of our undergraduate students, and winding up with four (4) bins:

1. Define, in law, an “academic calendar year” as July 1 through June 30, and define the tracking cohort of students as all who enter a college, community college, or trade school *at any point* during that period, provided that. . .
2. They enroll for 6 or more semester-equivalent credits during that period (thus excluding “hello-good-bye” students).

[Notice that, with these criteria, institutions would be tracking those who enter during summer, winter or spring terms, and those who enter part-time.]

3. Require institutions to divide their annual tracking cohort between dependent, traditional-age students (under age 24) and independent students (age 24 and up). Graduation rates will be reported separately for these two bins.
4. Require institutions to establish another tracking cohort for all students who enter the school as *formal transfers*. The criteria for being classified as a formal transfer include (a) a received transcript from the sending institution and (b) a signed statement of transfer by the student. [These criteria exclude the nomads who are just passing through town].
5. Require our postsecondary institutions to report all students in each of the three established bins (traditional-age beginning; independent student beginning; and all transfer-ins) at two intervals:
  - For associate's degrees, at 4 years and 6 years;
  - For bachelor's degrees, at 6 years and 9 years;
  - For less-than-associate's degrees at, a single 2-year rate;
  - For transfers-in, at 4 years and 6 years.

[These intervals will account for nontraditional students (including active duty military and veterans) who move through the system more slowly due to part-time terms and stop-out periods, but ultimately give students credit for persisting. These intervals will also present a more accurate portrait of what institutions enrolling large numbers of nontraditional students, e.g. Univ. of Texas at Brownsville, DePaul University in Chicago, and hundreds of community colleges, actually do for a living.]

All our institutions of postsecondary education have all the information necessary to produce this more complete account of graduation rates now, and have no excuse not to provide it. The algorithms are easy to write, and data systems can produce the core reports within a maximum of two months. It is important to note that, under this proposition, the tracking cohort report does not replace the standard IPEDS fall term enrollment report, the purposes of which are very different.

But there is one more step necessary to judge institutions' contribution to the academic attainment of the students who start out with them, and the reauthorization of the HEA should thus add the following:

6. Institutions accepting Title IV funds must make a good faith effort to find the students in the tracking cohort who have left their school and enrolled elsewhere to determine whether these students, too, graduated, and report the students they find (along with the proportion they do *not* find), in a fourth reporting bin.

[The National Student Clearinghouse will help in many of these cases, the Consortium for Student Retention Data Exchange will help in others, state higher education system offices will help in still others, and we might even get the interstate compacts, e.g. the Western Interstate Commission on Higher Education, into the act. Note that institutions will not be taking credit for credentials in this bin, but will be acknowledged as contributing to student progress.]

No, this is not as full an account as we would get under a student unit record system (which would be dead-on-arrival in Congress, anyway), but it would be darned close, and all it takes is rewriting a bad formula.

CODA—and another requirement for inclusion in the HEA: It is claimed that, compared with other nations, the U.S. has a miserable bachelor’s degree graduation rate. The source of the claim lies in an annual table in OECD’s *Education at a Glance*, which we somehow regard to be a holy book passed down from Mt. Sinai. The claim is nonsense because, of the 24 nations compared, the U.S. is the *only* one reporting an *institutional* graduation rate; the other 23 countries are reporting *system* graduation rates. So, while our official *institutional* rate is 56 percent, our *system* rate is 63 percent. OECD does report our system rate, but only in an on-line appendix that nobody reads, thus guaranteeing a negative portrait. Not only that, but OECD does not tell readers of the comparative graduation rate table for how many years each country tracks its students. It hides the input information from its own internal spreadsheets. If that information were also made public, here is the way the system-graduation-rate comparison would look:

U.S.	63%	6 years
France	64	7
Iceland	66	9
Norway	67	10
Netherlands	65	7
	71	9
Finland	72	10

These are excerpts (and for virtually all OECD countries, there are serious discrepancies between what national ministries report and what *Education at a Glance* publishes), but if one drew a simple vector with time on the ordinate and graduation rates on the abscissa, one would see that all these countries are producing roughly the same rate of bachelor’s attainment. We can do better, yes; but we are not doing as poorly as the public propaganda continually claims. (For a complete analysis of these data, see Adelman, C. 2009. *The Spaces Between Numbers: Getting International Data on Higher Education Straight*. Washington, DC: Institute for Higher Education Policy, both printed and on-line at [www.ihep.org/research/GlobalPerformance.cfm](http://www.ihep.org/research/GlobalPerformance.cfm)).

# National Advisory Committee on Institutional Quality and Integrity

February 3, 2011

## Perspectives on Federal and State Interests

Dr. Sandy Baum

Independent Higher Education Policy Analyst

Senior Fellow, George Washington University Graduate School of Education & Human Development

Thank you for the opportunity to present my views to the Committee. I am an economist specializing in higher education finance. My research and my policy work focus on student aid, college prices, college access and affordability, and other aspects of postsecondary education. I earned my bachelor's degree in sociology at Bryn Mawr College and my Ph.D. in economics at Columbia University. I spent 23 years as a full-time faculty member, most of that time in the Economics Department at Skidmore College. My current affiliations include Senior Fellow at the George Washington University Graduate School of Education and Human Development, Senior Associate at the Institute for Higher Education Policy, and Affiliated Consultant for HCM Strategists. I am a Consultant for the College Board, where I co-author the annual reports *Trends in Student Aid* and *Trends in College Pricing* and co-chaired the Rethinking Student Aid study group, which issued a comprehensive set of proposals for reform of the federal student aid system. I do not represent the views or interests of any organization or constituency.

I have spent many years studying issues of college access and success and am a long-time participant in research and discussions about how to improve our system of higher education, with a focus on how it works for students, particularly those students who are most vulnerable to falling through the cracks. I am not in a position to tell you what the optimal accrediting structure would be and am hesitant to make specific statements about preferred modifications to the Title IV eligibility

criteria. Instead, I would like to take a step back from the politically fraught debate to help frame the questions at hand from the perspectives of economics and the design of equitable and efficient public policy.

The federal government has a responsibility both to use taxpayer funds efficiently and to protect consumers when market forces are likely to lead to socially undesirable outcomes. A number of characteristics of the postsecondary education market make it in the national interest for the federal government to limit eligibility for federal student aid to students enrolled in institutions that meet specified criteria. There are market failures that generate inefficient outcomes when students and institutions (consumers and producers) are left to their own devices in this industry. Well-designed government policies can lead to more socially desirable outcomes than those arising when the choices available to students are unrestricted.

Markets generate efficient outcomes if and only if certain stringent conditions are met. These conditions include the absence of significant externalities – the costs and benefits of the product or activity must accrue to the direct participants without significant impact on others - and notably, perfect information. Consumers must have the information necessary to make sound judgments about which products and services will meet their demand. They must understand the characteristics of what they buy, how the products and services produced by different firms compare, and the prices they will pay.

The market for higher education meets few of the requirements for perfect competition. Students can't buy one, try it, and buy a different brand next time if they are unhappy with the outcome. There is little market incentive for producers to provide thorough and accurate information because they do not rely on repeat customers and once students make a choice, it is likely to take them a long time – and a lot of payments – before they learn the true properties of what they have purchased.

The Food and Drug Administration allows prescription drugs to enter the market only after they see convincing results not only that the drug will not do harm, but also that it will actually help patients. It's not that many students are likely to die if they choose the wrong college, but understanding the quality and the appropriateness of their choice is almost as difficult for students as for patients. And there are no highly trained and licensed doctors to help.

We do allow consumers to purchase products we know to be harmful. Cigarettes carry warning labels, but are available for purchase. But we don't give consumers vouchers to buy cigarettes. We should have some control over how the taxpayer-funded vouchers for postsecondary education are spent. No matter how much information we give them, many students will not be in a good position to judge the qualities of all the institutions from which they can choose. They need both protection from harm and some level of assurance that they are investing in a high quality product with a reasonable chance of generating the promised benefits. And the taxpayers have a right and a responsibility to assure that their dollars are well spent.

Efforts to provide information can go a long way. The provision of information on graduation rates to FAFSA filers is a positive step. The Congressional mandate that institutions post net price calculators on their websites is also a move in the right direction, although there is much room for improvement in the details.

We should require every institution to be clear about what benefits its students gain and how those benefits are reflected in their experiences later in life. But it will always be difficult for students to know what an institution really has to offer, whether students with their particular characteristics are likely to succeed at the institution, and what awaits those who do succeed at the other end of the process. No information requirements will ever be sufficient to enable all students to make wise choices.

It is difficult to draw a line between colleges that give people their money's worth and colleges that don't. My daughter recently graduated from a highly selective and expensive private liberal arts college with a degree in studio art. She got a terrific education and it will likely serve her well throughout her life. She will probably not choose to make a living as a studio artist. That's not what she thought she was buying and not what the college claimed to be selling. How do we draw the line between her experience and that of a student who paid much less to study in a short-term graphic design program that places few of its graduates in related jobs? What is the stated goal of the institution? Does it offer much more than vocational training? How can we draw these lines mostly clearly and effectively?

Well-designed consumer protection makes market forces work more effectively. It doesn't make sense to have students give up large amounts of time, energy, and money to test for themselves whether institutions offer reasonable education and training. Postsecondary education is an investment that typically provides a high rate of return to both the students who participate and to society as a whole. But it can be a risky investment. If we subsidized only students who have a very high probability of succeeding and seeing their investment pay off handsomely, we would fail to provide opportunities to many individuals who cannot afford them on their own. We know some students will fail, either because they aren't up to the task or because circumstances interfere with their success.

But we shouldn't subsidize students to play the lottery. Students who enroll in institutions or programs that graduate fewer than 20% (or 15% or 30%) of their students or that succeed in placing only a small percentage of their students in remunerative positions in the fields for which they have been trained are playing the lottery. They are making a significant investment in an undertaking that has a stunningly low probability of success. Our political philosophies might lead us to debate whether or

not we should prevent them from playing this lottery. But it's hard to come up with sound principles of public policy that would support our subsidizing them to play this lottery. And unfortunately, even the best available information is unlikely to discourage the most vulnerable students from playing the lottery with a combination of taxpayer funds and funds they will only have to pay off in a vague and distant future. If only they could complete a high quality education before having to make this choice.

The debate should not be about whether it is appropriate for the federal government to restrict the programs where students can use their federal aid. The debate should be about the specific design of these restrictions. It is one thing to prevent students from spending their own money on bad choices. It is another to provide opportunities for them to make bad choices with federal money. We should not just have warning labels. We know something about the odds of success for students who enroll in different education and training programs. We should use that knowledge wisely to protect both students and taxpayers.

**Testimony by  
Barbara Brittingham  
Director/President, Commission on Institutions of Higher Education  
New England Association of Schools and Colleges**

**NACIQI Forum, February 2011**

I appreciate the opportunity to meet with you and welcome the interest NACIQI has demonstrated in understanding accreditation as you advise the Secretary.

In regional accreditation, we take our federal responsibilities seriously as reliable authorities on the quality of education. We also take seriously the improvement function of accreditation.

**Anticipating the next re-authorization, it is helpful to look back and note the changes in the past five years.** We now have:

1. More frequent interaction with institutions: 70% have a follow-up progress report following a comprehensive evaluation, and of course, all have a fifth year interim report, which has grown to be increasingly more substantive.
2. Better tools for monitoring institutions that are fragile financially or academically through specialized review processes.
3. Program of Special Monitoring for institutions that are sold or have a change of control.
4. More workshops annually - to train evaluators and support institutions.
5. More quantitative and qualitative evidence to support the reviews, with a greater focus on assessment and measures of student success.
6. We have begun a series of meetings with SHEEOs in New England, recently joined by the head of the Boston office of federal financial aid.

Thus, our Commission is better positioned to deal with the increasing complexity of institutions and rising public expectations for accreditation. It has the tools necessary for a diversity of institutions, some of which it will see twice in 10 years, others of which it will see 8-10 times in that cycle.

Other regions have a comparable set of changes and initiatives, appropriate to their context and the institutions they accredit. For example, the Northwest Commission has recently revised its standards and processes, creating an outcomes-based accreditation model with a new seven-year review cycle that includes four reports and two visits for all institutions. WASC has added workshops on assessment, student success, program review, and for presidents and trustees, and Middle States has a regular program of workshops on assessment and institutional effectiveness. SACS has added the Quality Enhancement Plan, to focus attention on the improvement function of accreditation and emphasize student learning in the process. The HLC has new policies on change of control, accreditation of related entities, mandatory candidacy, and substantive change, all enabling oversight that is at once stronger and targeted where it is needed.

## What is working in accreditation?

**1. Participation by members.** We have all seen interest increase in our annual meetings and workshops. Our Commission is undertaking its standards mid-course review, and 90% of institutions accepted an invitation to participate through meetings around the region. Hundred of volunteers contributed to the full review of the standards. The membership owns the standards; and this ownership builds understanding and commitment, fundamental to a system of self-regulation.

**2. A fundamentally sound system.** Peter Ewell famously said that our system of accreditation is evolved, not designed. Is it the system we would have if we started from scratch? No, but neither are our state boundaries or our marvelously diverse higher education system. I have seen other countries upend their quality assurance system to start a new one and note that is expensive, time-consuming, and disruptive. With systems as complex and decentralized as ours, the potential for harm in any radical change may well exceed any potential for gain. Our decentralized system permits agility, responsiveness, and competitiveness for our colleges and universities.

I asked one of our Presidents what I should say to you, and here's what he said: "Anyone who has actually participated in a review and visit will tell you that institutions take it very seriously, engage, improve, and do it without the resentment or just 'check off that box' mentality that we see in other industries. In our case, institutions -- who have helped shape the standards -- seek to honor not just the letter of the standards, but the spirit of the standards. That is not to be taken for granted."

Our system is fundamentally sound, as indicated by quality of our volunteers, by institutions that participate in our process absent any Title-IV incentive, and by the seriousness with which even our best institutions prepare for their reviews. Better that we continue to improve our system than to radically re-arrange it. Paraphrasing Winston Churchill, regional accreditation is the worst system of accreditation in the world, except for every other system.

**3. Meets international expectations.** The World Bank's recent study of higher education quality assurance systems articulated three criteria for a good system:

- Ensure that HEIs and programs satisfy at least a minimum level of quality in order to protect students.
- Contribute to the improvement of all institutions and programs, whatever their level, and encourage HEIs to develop their own quality culture.
- Fulfill both of the objectives above at a reasonable cost, which should not exceed the estimated benefits of the quality improvements.

Note that:

1. These criteria include ensuring minimum standards AND promoting quality; they seen as complementary not in opposition; and
2. The U.S. system for regional accreditation is likely the most cost-effective system in the world, relying as we do on expert volunteers to do most of the work. These highly accomplished professionals allow us to have a institution:staff ratio of 24:1, rather than 5:1 or 3:1 seen in other countries.

**Could we be better?** Absolutely. Our principal priorities for improvement are:

1. **Get better with learning outcomes and measures of student success.** There have been many initiatives in this area. Great progress has been made, and there is plenty more to do, particularly in ensuring the data is used for improvement.
2. **Get better at helping the public understand accreditation**—what it does and doesn't do.
3. **Get better at assuring the public has the information they need about accredited institutions.** We believe that most of this information best comes from the colleges and universities themselves and that they have an obligation to provide information that is relevant to public needs, current, clear, and easily accessible.

**What works well in federal relationship?**

Senior staff are professional, experienced in the process and available. David Bergeron, Kay Gilcher, in particular.

**What could be better in the recognition process?**

1. **Not 'starting over' with every new recognition cycle.** Our Commission has been continuously recognized since the 1950's, yet every time we come up for review, we start from the very beginning. And while many of the regulations have remained constant over the years, we find that in the process, the staff drill down farther and farther into small details and sometimes find fault with something that has been reviewed without problem for years or decades.
2. **NACIQI has very few tools – your options for taking action are quite limited,** and the ones available are often perceived as blunt instruments. You can approve an agency, require a compliance report in a year; or limit, suspend, or terminate recognition. It is not clear to me that you can, for example, defer your action, requesting more information if matters are not clear. And the requirement that an agency both fix a problem AND apply the new policy within a year may simply not be realistic if the problem relates to a seldom-occurring issue. Perhaps in the next re-authorization, we would all be served well by a more finely tuned set of options for recognition reviews.
3. **Realize the limits of regulation.** The NCAA Handbook for Division I schools is 444 pages, illustrating that more rules may (or may not) keep things from getting worse, but they don't necessarily make them better. Switching metaphors, in judging the quality of a restaurant, the health inspector can make sure there are no varmints on the premises, and the state can ensure people are employed properly, but these regulatory processes have only limited effect on the quality of the food and service of the restaurant. A good restaurant reviewer, unlike the health inspector, needs a finely tuned palate, a good eye for aesthetics, and a flair for words. A good reviewer can help the restaurant improve.

### What I hope for the future:

- **Regulation should respect the diversity of institutions, especially when it comes to student learning.** While regional accreditation has made strong contributions to the progress so far in assessing student learning, much work remains. And unlike for the graduates of our high schools, no one really believes we can judge 2700 baccalaureate-granting institutions by comparing the achievement of their graduates. The entering students are too varied, their courses of study too diverse, and the future to which they aspire too different. No one really thinks the graduates of MIT and Berklee College of Music and Holy Apostles College are going to have the same learning outcomes. Clearly, one size does not fit all, nor are there simple groupings of institutions, as the Carnegie classification system now illustrates. Rather, we are left with the messier but more realistic business of taking each institution on its own mission and student body, finding useful comparisons and benchmarks, consistently working for improvement, and increasingly having the data to ensure that an accredited institution demonstrates at least a satisfactory level of achievement for its graduates.
- **Where there are problems, ‘elegant’ solutions are best.** I hope that rather than adding more and more rules and regulations and drilling down ever farther into the workings of accreditors, NACIQI can recommend elegant solutions – one in which the maximum desired effect is achieved with the smallest, or simplest effort.
- Finally, given the quality and dedication of our volunteers, I ask that you **do no harm to our system**, that you not tilt the balance so far to regulation that the highly accomplished presidents, provosts, deans, faculty, and chief financial officers who serve our system decline to volunteer. And, rather than our institutions coming to see the accreditation mainly as a process of regulation and inspection, we want colleges and universities to continue to see regional accreditation primarily as an opportunity to engage the campus community in examination and improvement, with a public as well as a private purpose.

Thank you. I look forward to your questions.

**I** Accreditation has a rich history that has shaped its purposes and processes.

## Accreditation in the United States: How Did We Get to Where We Are?

*Barbara Brittingham*

Each year on hundreds of campuses around the United States, thousands of faculty, administrators, and staff are preparing for an accreditation review. It is a process now accepted as part of the higher education landscape, and the basics are well known: a set of standards, a self-study, a review by peers, and a decision from a commission. But the development and context of accreditation are less well understood: How did we get to where we are? Where did this system come from? And how is it uniquely American?

This chapter discusses the conditions, trends, and events that help explain the current status of accreditation in the United States, focusing largely, but not exclusively, on regional accreditation (accreditation in the United States also includes national accreditors for faith-based and career-oriented schools and specialized and professional accreditors). What follows is not a history of accreditation (Bloland, 2001; Ewell, 2008), though an overview chronology of accreditation in context is provided in Table 1.1. Presented here are twelve points designed to show how accreditation developed in the United States—how we got to where we are.

### **American Accreditation in Context**

#### **1. American accreditation is unique in the world.**

With the international expansion of higher education, countries around the world are developing quality assurance systems to oversee both public and private degree-granting and other postsecondary institutions. The International Network for Quality Assurance Agencies in Higher Education began



**Table 1.1. A Chronology of Higher Education and Accreditation in the United States**

Date	American and Higher Education History	Accreditation
1636	Harvard College established by vote of the Great and General Court of Massachusetts Bay Colony	
1791	U.S. Bill of Rights reserves powers not mentioned in the Constitution “to the states respectively or to the people.”	
1819	<i>Dartmouth College</i> case decided by the U.S. Supreme Court, preserving the right to operate chartered private colleges without state takeover	
1839	First state normal school started in Lexington, Massachusetts	
1847	American Medical Association founded	
1862	Morrill Act creates land grant colleges	
1870	U.S. Bureau of Education publishes an official list of colleges	
1876	Johns Hopkins University founded	
1885		New England Association of Schools and Colleges (NEASC) founded
1887		Middle States Association of Colleges and Schools founded
1895		North Central Association of Schools and Colleges and Southern Association of Colleges and Schools (SACS) founded
1900	College Entrance Examination Board founded	
1901	Joliet Junior College, first two-year institution, founded by president of University of Chicago	
1905	Carnegie Foundation for Higher Education publishes list of recognized colleges	
1906	Carnegie Unit developed	
1910	Flexner report on medical education, raising standards and leading to closure of nearly half of the medical colleges	North Central Association establishes criteria for collegiate eligibility Northwest Association of Colleges and Universities founded
1913		
1917		
1922	American Council on Education holds “standardizing” conference	
1924		Western Association of Schools and Colleges (WASC) founded
1925	American Library Association publishes list of accredited schools	National Home Study Council, predecessor to Distance Education and Training Council, formed
1926		North Central Association adopts mission-oriented approach to accreditation
1934		
1940	American Association of University Professors statement on academic freedom	

1944	GI bill provides direct funding to college students	
1947	Truman Commission promotes network of community colleges, primarily for returning GIs	
1949		National Commission on Accrediting (NCA) founded by higher education associations to reduce duplication and burden in accreditation
1950s		Accreditation develops mission-centered standards, self-study, team visit, commission decision, and periodic review NEASC gets permanent office and staff
1951		
1952	Veterans Readjustment Act ties financial aid to institutional accreditation	
1953		Black colleges accepted as full members of SACS
1964		Federation of Regional Accrediting Commissions of Higher Education (FRACHE) established
1965	Higher Education Act (HEA) first passed, greatly expanding financial aid to students	
1968	Formal process for federal recognition of accreditors established	
1972	HEA reauthorization opens door to for-profit school participation in financial aid	
1975		NCA and FRACHE merge to form Council on Postsecondary Accreditation (COPA)
1980	U.S. Department of Education started	
1984	<i>Involvement in Learning</i> (National Institute of Education) calls for judging institutions by effectiveness in educating students	
1992	HEA reauthorization nearly breaks the link between financial aid and accreditors; creates National Advisory Committee for Institutional Quality and Integrity; authorizes state postsecondary review entities (SPREs) to review institutions with high default rates	SACS adopts Institutional Effectiveness standard
1993		COPA dissolved by its board; Council on Recognition of Higher Education formed to take over recognition function
1994	SPREs defunded by Republican Congress	Council on Higher Education Accreditation founded
1998	No mention of SPREs in HEA reauthorization	
2006	Secretary of Education Margaret Spellings's Commission on the Future of Higher Education publishes its report	
2008	HEA reauthorized. Accountability for accreditation retained; secretary of education cannot regulate how accreditors judge student learning; advisory committee appointments to come from Secretary plus House and Senate	

in 1991 with conference attendance from approximately ten countries; it now includes as full members 148 quality assurance agencies from seventy-five countries around the world. The list is a partial accounting of a rapidly growing phenomenon. But no other country has a system like ours; among quality assurance systems, the American system stands out in three dimensions:

1. Accreditation is a nongovernmental, self-regulatory, peer review system.
2. Nearly all of the work is done by volunteers.
3. Accreditation relies on the candor of institutions to assess themselves against a set of standards, viewed in the light of their mission, and identify their strengths and concerns, using the process itself for improvement.

**2. The structures and decisions of U.S. government provided the conditions in which accreditation developed.**

The U.S. Constitution, the Supreme Court, and the Congress each had a role in establishing an environment in which accreditation could develop. First, whereas accreditation in other countries is generally a function of the ministry of higher education, the U.S. Constitution provides that matters not mentioned in it are left to the states and to the people. So while the federal government has become more prominent in matters of education, the early development of the education system in this country was left free of government control, allowing the establishment of a diverse array of colleges and universities. The lack of government regulation also meant there was no clear and uniform floor on the minimum expectations for a college or a college education, leaving a vacuum that accreditation grew to fill. Thus, the social interest in having a sense of minimum standards was in part responsible for the development of accreditation.

A second defining act in setting the conditions for American higher education was the *Dartmouth College* case (*Dartmouth v. William H. Woodward*) in 1819, in which the U.S. Supreme Court effectively prevented the state of New Hampshire from taking over the independent institution and established the rights of private organizations. Daniel Webster, arguing before the Supreme Court, said that Dartmouth was a “small college and yet there are those who love it,” illustrating the devotion to the developing institution that has been a bedrock of American higher education.

Third, that same era saw another important decision, this time by Congress as it declined to advance the legislation needed to begin a national university, despite the wishes of several of the founding fathers, including the first six American presidents (Snyder, 1993). Thus, the freedom of states, churches, and individuals to form institutions of higher education was ensured, and the basis for the considerable autonomy that American colleges and universities still enjoy was firmly established.

The U.S. Constitution also provides for the separation of church and state. By the time the federal government began significant aid to higher

education after World War II, the country was replete with public and private institutions, both secular and nonsecular. The system that provides aid to the student and not directly to the institution accommodates both the Constitution and the desire to provide a broad range of student choice. By this time, accreditation was well enough developed that the federal government came to rely on it to identify those institutions worthy of federal financial aid for students.

### 3. Accreditation reflects American cultural values.

Alexis de Tocqueville's 1835 *Democracy in America* is remembered in part for his observation that Americans form associations to deal with matters large and small. Accrediting organizations are one such example. The New England Association of Schools and Colleges was founded in 1885 by a group of secondary school headmasters acting in concert with a group of college presidents led by Charles Eliot of Harvard, gathering to consider their mutual interests in ensuring that preparatory and secondary school graduates were ready for college. Accrediting associations were established as membership organizations, supported by dues and fees (and occasional private grants), providing the foundation for self-regulation and the independence that has helped accreditation preserve the autonomy of institutions.

Americans value problem solving and entrepreneurship. As America expanded westward, settlers started businesses, churches, and colleges. By the 1860s, over five hundred colleges had been established, though fewer than half of them were still operating (Cohen, 1998). Tracing the early history of American higher education institutions is made more difficult because the term *college* might be applied to any number of types of institution, including technical institutes and seminaries. Indeed, one of the early tasks of the New England Association of Schools and Colleges was sorting out which institutions were in fact colleges, an undertaking made more difficult by the number of "academies" that sometimes spanned the boundaries between secondary and collegiate education.

Americans also believe in the ability of the individual to achieve a self-identified goal. Leaving aside the imperfections with which the belief is translated into reality, this optimism has proven foundational for the increasing access to education throughout this country's history, especially following World War II. The history of regional accreditation of various types of institutions of higher education reflects this increasing diversity of institutions of higher education and increasing access. For example, in New England, the roster reflects the first institutional accreditation in 1929<sup>1</sup> to twenty-one independent institutions, plus public universities in Maine and Vermont. Later dates reflect expanding access: the first state college in 1947, the first community college in 1964, the first for-profit institution in 1964, the first overseas institution in 1981, the Naval War College in 1989, and the first institution owned by a large for-profit education corporation in 2004. Examples from other regions differ in timing and type but illustrate a similarly

expanding base of institutions reflecting increased access to higher education. For example, the Western Governors University was developed in an area of increasing population and large distances at a time when it was possible to envision an institutional model other than bricks-and-mortar to expand access to higher education.

Accreditation relies fundamentally on volunteers to carry out the work. Volunteering is, of course, a great American tradition: Americans volunteer in schools, hospitals, fire departments, and settlement houses. Lawyers work pro bono, and corporations volunteer executives to work with schools. In accreditation, volunteers are at the core of the work: teams are composed of volunteers, and it is volunteer peer reviewers who serve on the policy- and decision-making bodies.

Americans also believe in self-improvement, an activity requiring self-evaluation and identification of areas that could benefit from enhancement. In accreditation, this value manifests itself in the expectation that the institution will demonstrate candor in reviewing itself against the standards. In regional accreditation, the self-study process is not so much a proof exercise, demonstrating that the standards are met (though they do need to be met at some level) as an analytical exercise showing that the institution has the capacity and inclination for honest self-assessment, the basis of self-regulation and continuous improvement.

## **The Development of American Accreditation**

### **4. Accreditation developed as higher education became increasingly important.**

The history of American higher education is largely one of increased access, mission differentiation, and experimentation. Accreditation is not responsible for any of these features, but it has supported an environment in which all three could flourish while providing a basic framework that prevents chaos and promotes coherence in the system.

Harvard College was founded in 1636, and by the beginning of the American Revolution, there were nine chartered colleges: Harvard University; College of William and Mary; Yale University; University of Pennsylvania; Princeton University; Columbia University; Brown University; Rutgers, The State University of New Jersey; and Dartmouth College. The lack of government regulation in the early years and the individual, even entrepreneurial, nature of founding a college quickly led to more diversity among institutions in the United States by the mid-1800s than many other countries enjoy today. Table 1.2 summarizes the growth in American higher education.

Yet the curriculum remained narrow, and the proportion of the age cohort enrolled was small. In the late 1880s, 62 percent of college students were enrolled in classical courses, and only about 1 percent of eighteen- to twenty-four-year-olds were enrolled in college (Snyder, 1993).

**Table 1.2. Growth in U.S. Population and Higher Education**

<i>Dimension/Year</i>	1790	1870	1890	1930	1945	1975	1995	2005
U.S. population (millions)	3.9	29.8	62.6	123.1	139.9	215.4	262.8	295.5
Students enrolled (millions)	0.001	0.06	0.16	1.1	1.7	11.2	14.3	17.5
Number of institutions	11	563	998	1,409	1,768	2,747	3,706	4,216

Sources: Cohen (1998) and Snyder (1993).

In the 1890s, when the first accrediting associations were organizing, there were already more than nine hundred institutions of higher education, though the percentage of eighteen- to twenty-four-year-olds enrolled was about 2 percent. Institutions were small, averaging 160 students in 1890. But the economy was strong, the second industrial revolution was in full flower, America was in its (first) gilded age, and the link between economic development and higher education had been firmly established. The rapid rise in the number of institutions, and the types of institutions, increased the interest in a means of identifying institutions of trustworthy educational quality. Access was furthered by the establishment of land grant institutions, conservatories, black colleges, women's colleges, additional church-related schools, Bible colleges, art schools, military academies, research universities, and work colleges.

The rates of college attendance increased, though rather slowly at first. By 1945, 10 percent of the eighteen- to twenty-four-year-olds were enrolled in college; by 1953, the figure was 15 percent. By that time, the diversity of institutions had increased to include normal schools, business colleges, and community colleges. After World War II, the government made considerable financial aid available to returning veterans and required a way to ensure that taxpayer support was finding its way, through students, to legitimate institutions of higher education. Rather than develop its own system, government turned to accreditation, providing a major impetus for accreditation to develop its own enterprise.

By 1965, when the first Higher Education Act was passed, dramatically increasing the availability of federal financial aid, 30 percent of the age cohort was enrolled. The large number of baby boomers entering college at a time of social change provided the conditions for experimentation to flourish, for example, at Bennington College, Antioch University, New College of Florida, Oakes College at the University of California, Santa Cruz, the Experimental College at Tufts, and Hampshire College. The reach to accreditation to vouch for educational quality while providing peer oversight of responsible experimentation served both the public interest and the interest of higher education.

Thus, accrediting associations started at a time when there were enough institutions operating with essentially no government oversight that it was useful to begin keeping lists of what peers believed were legitimate institutions. (Developing later but somewhat in parallel are the national accreditors for career institutions, religious institutions, and distance education and a host of specialized and professional accreditors.) Accreditation became useful to the government when there was sufficient financial aid support to require a means of ensuring that the money followed students who were enrolled in educationally satisfactory institutions.

##### 5. Accreditation has developed through evolution, not design.

Following the beginnings of the New England Association of Schools and Colleges, other regions started similar groups: Middle States Association of Colleges and Schools (1887), North Central Association of Schools and Colleges (1895), Southern Association of Colleges and Schools (1895), the Northwest Association of Colleges and Universities (1917), and the Western Association of Schools and Colleges (1924). In the regions, accrediting associations tended to be started by the relatively well-established, highly regarded institutions, so as the membership increased, it widened from a base of highly esteemed institutions.

Although the New England Association was the first to be founded and had adopted standards of membership at least by 1929, it did not use the term *accreditation* until 1952, when it also initiated a program of periodic review. In fact, the other regionals, though using the term *accreditation* earlier than the New England Association did, also functioned for many years without a systematic program of periodic review now considered an essential element of accreditation.

The early years of accrediting associations are said to be focused on identifying which institutions were legitimately colleges. By 1913, the North Central Association had developed explicit criteria for membership (Ewell, 2008). The early requirements were uniform within a region and reflective of the time of cloth ribbons and manual typewriters—rather terse by today's standards, even as the landscape of higher education was becoming increasingly diverse. By this time, the country had highly regarded and respectable institutions of several varieties: independent liberal arts colleges; public universities, including the land grant institutions; and private research universities.

The tension between clear, stringent standards and increasing institutional diversity continued until 1934 when the North Central Association developed the mission-oriented approach to accreditation, which endures today. But producing a report, much less validating it by a team of peers, posed challenges: distances were great, roads in rural areas were uncertain, the era of roadmaps had just begun, and long-distance phone calls were expensive.

Between 1950 and 1965, the regional accrediting organizations developed and adopted what are considered today's fundamentals in the accreditation process: a mission-based approach, standards, a self-study prepared

by the institution, a visit by a team of peers who produced a report, and a decision by a commission overseeing a process of periodic review. With the basics in place, the regionals have worked to refine and strengthen accreditation, learning from experience, and adapting to changing circumstances and expectations.

Since the mid-1960s, institutions have become more complex from an accreditation point of view. Driven partly by the requirements of federal recognition and partly from the realities of overseeing quality as institutions changed individually and collectively, accreditation has developed processes to train and evaluate team members and team chairs, oversee branch campuses and instructional locations, evaluate distance education, find accommodation for contractual relationships, deal with the related entities that accompany for-profit and some religiously based institutions, assume responsibilities for teach-out agreements when institutions close, and oversee the quality of campuses that enroll students abroad.

Also since the 1960s, the widespread use of information technology has enabled the development of a more sophisticated approach to data analysis, report preparation, and electronic communication. Photocopying and word processing provided new capacity for producing thoughtful reports. More recently, electronic spreadsheets, relational databases, e-mail, and the Web have provided a further foundation for the development of increased institutional capacity reflected in the accreditation process. The rise of institutional research as a field of practice has in many cases provided the human capacity to take positive advantage of the technology to analyze institutional effectiveness. Today accreditation can ask better questions and expect better analyses because institutions have the capacity to respond better than in the past.

More recently of interest is what may be considered a new generation of assessment instruments, including the now well-established National Survey of Student Engagement and its more recent cousin, the Community College Survey of Student Engagement, providing baccalaureate and associate degree-granting institutions with usefully comparable information on the educational experiences of their students. A more recent entry is the Collegiate Learning Assessment, which seeks to provide institutions with useful feedback on how much their students have gained in reasoning and communication skills and promising a measure of the value added by their institution in comparison with similar colleges and universities. More locally, electronic portfolios and consortia of institutions producing comparable data on student assessment enhance the ability of institutions to explore meaningful ways of considering what and how their students are learning, based on institutional mission.

## **6. Standards have moved from quantitative to qualitative, from prescriptive to mission centered, and from minimal to aspirational.**

The general trend in accreditation has been a movement from focusing on inputs or resources to processes to outcomes or effectiveness. Thus, there

was a time when regionally accredited institutions were required to have a library of a certain size (at one point in New England, that size was eight thousand volumes, apparently regardless of the size of the student body or the nature of the programs). As accreditation developed, it became possible to focus more directly on ensuring student access and, later, student use of the resources and, later still, information literacy skills. Similarly, a focus on the credentials of the faculty was augmented by a concern for the quality of instruction. Leading and following higher education's shift in focus from teaching to learning, the emphasis of accreditation now is considerably on the assessment of student learning. This is not to say that the focus on inputs and processes should disappear. A well-qualified faculty is essential to quality in higher education. Rather, the focus on outcomes has developed to augment and shift emphasis in judging the quality of an institution.

When colleges and universities were being established at a fast clip, having minimal standards was useful in communicating, and ensuring, the basics needed for admission to the academy as a respectable institution of higher education. While there are still new institutions forming—in New England, the newest, Vermont College of Fine Arts, was chartered as this chapter was being written—the rate of establishing new institutions has surely declined as land has been settled and institutions of higher education have mastered the art of establishing branch campuses and new instructional locations and offering programs through distance learning. Increased requirements in most states for licensure and the need for accreditation's approval to have access to federal financial aid have raised the bar for establishing new institutions. Indeed it has become a challenge to ensure that the bar is not raised so high as to dampen the creative energy manifested in new institutions.

For established, stable, accredited institutions, minimum standards are of minimal interest. For accreditation to remain useful to these institutions, the process must have value. Accreditors have increasingly recognized that the process must promote improvement across the entire range of institutions. With standards at a sufficiently aspirational level, every institution finds dimensions on which it wishes to improve, promoting productive engagement in the accreditation process.

#### **7. Accreditation is a social invention evolving to reflect contemporary circumstances.**

An application for membership in the New England Association of Schools and Colleges in 1932 reveals separate considerations for “senior colleges” and “junior colleges,” and consideration of admissions requirements, graduation requirements, “recognition” from other colleges and universities, number of faculty (including the number with master's and doctoral qualifications and student-to-faculty ratio); hours of teaching per semester (minimum, average, maximum); departments in which instruction is offered; a statement of physical facilities “and a particular statement

as to the library”; income from various sources and size of endowment; and total expenditures. The applicant institution is instructed that the “committee would also be glad to have information as to the makeup of the student body, and as to the purposes and plans of the institution for the future.”

The separate handling of two- and four-year institutions is a matter addressed at some point by nearly all of the regional commissions: separate standards or different commissions were used to expand the operation to include two-year institutions in a manner that seemed reasonable at the time. Now, however, except for WASC, where two separate but cooperating commissions remain, the regionals have developed the means to accredit two- and four-year institutions, as well as free-standing graduate schools, with a single set of standards under a single system.

As accreditation developed, it embraced many of the essential elements of American higher education, including the role of the governing boards, the place of general education in the curriculum, the centrality of academic freedom for faculty and students, and opportunity for student development outside as well as inside the classroom. None of these items is required for federal recognition. (For the elements currently required, see subpart 602.16 at [http://www.ed.gov/admins/finaid/accred/accreditation\\_pg14.html#RecognitionCriteria](http://www.ed.gov/admins/finaid/accred/accreditation_pg14.html#RecognitionCriteria).) This disjuncture between what the federal government regulates, including “success with respect to student achievement,” and the softer side of American higher education may help explain the angst that was generated by the work of the Spellings Commission.

That said, because a college education today is both more necessary and more expensive than ever before, accreditation faces new challenges to which it must respond. While assessment, understanding student success, and increasing transparency are the most significant issues, they are not the only ones. Accreditation has always changed as higher education has changed, and responding to increased calls for accountability is not the only current challenge for accreditors. Others include overseeing international branch campuses and instructional locations of U.S. institutions; determining what role, if any, accreditation has in student debt; and sorting through how accreditation deals with institutionally significant related entities, including large corporations owning accredited institutions.

### **Unique Aspects of American Accreditation**

#### **8. As a quality assurance system, accreditation is unusually focused on the future.**

From an international perspective, accreditation is not the only quality assurance system in higher education; others include academic audit and inspection, both of which focus more heavily on an examination of current or past activities to identify areas for improvement.

Accreditation as practiced in the United States focuses heavily on the future, on quality improvement, unlike systems built solely or predominantly

to ensure the quality of the current operation and identify fixes that need to be made. Ideas for improvement can surely come from an examination of current practice, but they can also come from thoughtful consideration of societal trends, demographic projections, increased technological capacity, and a host of other sources. Accreditation is constructed to focus on the future, using all of these perspectives.

The various regional accreditors have different ways of emphasizing this forward nature in their self-study process. For example, SACCS relies on a quality enhancement plan (QEP) to focus on improvement in an area of identified institutional importance; the New England Association includes a “projection” section for each standard in which the institution is asked to use the results of its self-assessment as a basis for planning and commitments in the area under consideration.

Awarding accreditation or continuing an institution in accreditation is a prospective statement by peers that the institution has demonstrated its ability to identify and address significant issues: that it is operating at a satisfactory (or better) level of quality and gives reasonable assurance that it will continue to do so for up to ten years, with specified monitoring, including a fifth-year report. Additional monitoring has become more frequent: for example, in 2007, the Middle States Association and NEASC specified follow-up reporting in between half and two-thirds of institutions undergoing comprehensive reviews, most often over matters of student learning, planning and evaluation, and institutional finance. Nevertheless, when compared with government systems in many other countries, it remains a light touch. The candor to identify areas needing improvement and the capacity to describe and pursue reasonable methods for improvement are keys to the confidence expressed in a decision to accredit or continue accreditation.

This forward focus of regional accreditation invites institutions to use the process itself for improvement. Standards that are aspirational allow every institution to harness the process to address identified concerns and enhance institutional strengths.

#### **9. Accreditation has benefits not often recognized.**

Some of accreditation’s benefits are generally acknowledged: access for students to federal financial aid, legitimacy with the public, a ticket to listings in guides to college admissions, consideration for foundation grants and employer tuition credits, reflection and feedback from a group of peers, and keeping the government at arm’s length through a self-regulatory process. Arguably these are the greatest benefits, but there are significant additional benefits as well.

First, accreditation is cost-effective. In 2005, regional commissions accredited three thousand institutions using thirty-five hundred volunteers in a system overseen by 129 full-time staff. Quality assurance systems in most other countries are more regulatory than in the United States and therefore more expensive. It is not unusual for a government-based quality

assurance system to have, on average, one employee for every two or three institutions overseen. The Quality Assurance Authority in the United Kingdom, for example, has 130 employees to oversee the quality of 165 institutions. In the United States, accreditation has relied on volunteers from its beginning; NEASC did not have a permanent staff or offices until 1951.

Second, participation in accreditation is good professional development. Those who lead a self-study frequently come to know their institution more broadly and deeply; at a time of strong centrifugal forces in higher education, the self-study can draw faculty closer to their institution. Those who serve on or lead visiting teams often proclaim it is the best professional development they get. And the roster of presidents and provosts who serve the enterprise give testimony to its value. Outside of accreditation, few academics get the opportunity to see another institution, more or less like their own, at close enough range to gain a new perspective on their own work. To engage the theater of accreditation is to see the lessons of transformative leadership, capacity, mission, and governance played out on a stage of drama, with episodes of tragedy and comedy.

Third, self-regulation, when it works, is a far better system than government regulation. A regulatory approach can require institutions to report graduation and placement rates, but it is unlikely to engage the institution in formulating its own questions about what and how students are learning. Regulation seeks uniformity, whereas self-regulation is open to differences. Self-regulation does not always work, of course. Accreditation is challenged particularly in a time of low public trust to ensure that it retains the confidence of the public to oversee educational quality in a nongovernmental peer review system.

Fourth, regional accreditation gathers a highly diverse set of institutions under a single tent, providing conditions that support student mobility for purposes of transfer and seeking a higher degree. To be sure, there are some in the for-profit and national accreditation community who believe the doors of the tent are too often closed to their students wishing to bring credits or degrees to regionally accredited institutions. However, regional accreditation has gathered a vast array of institutions under a single system without drawing boundaries that inhibit transfer and leaving the decisions about the acceptance of credits and degrees properly in the hands of individual institutions.

**10. Although regional accreditation may not be entirely logical, there are benefits.**

Some of the regions make geographical sense: there is only one correct listing of the states that comprise New England. That said, given the North-South split of the country, the SACS territory generally makes sense, and therefore the Middle States Association as a region is understandable. The midwestern and western states that were not fully settled into statehood as accrediting agencies elsewhere were developed are somewhat less logically

configured for purposes of regional accreditation. But then state boundaries lack an apparent rationale.

There are regional differences that impinge on higher education. In New England, we operate in a relatively small space densely populated with colleges and universities, so it is not surprising that there are no predominantly online institutions in our region. We will also face a demographic downturn among traditional-age students in the next several years that will place very different pressures on higher education from those experienced in parts of the country with expanding college-age demographics.

Accreditation is a self-regulatory system, relying on member institutions to form, adopt, and adhere to standards and policies. Regional commissions help keep the membership involved in accreditation by having more local opportunities for participation. Regions increase the ownership of the member institutions in the standards, provide communities of discussion that support knowing the standards well enough to internalize their meaning. And at some level, institutions must have internalized the standards sufficiently, through policy and practice, to be able to regulate their behavior consistent with the standards.

Regional accreditors vary somewhat in the terminology and processes, but overall, the enterprise is remarkably unified. Differences among the regionals reflect to some extent differences among the regions. New England has a strong tradition of independent higher education, and nearly half of its undergraduates attend independent institutions, in considerable contrast to other parts of the country. Many independent institutions in a region of small states raises the rheostat on issues of importance to nonpublic institutions. Conversely, the Northwest Commission operates in a region of large distances, highly dominated by public institutions.

Regional accreditation provides a natural laboratory for experimentation. As accreditation mastered the task of admitting institutions to membership while accommodating an increasing array of institutional types, it also began to wrestle with the task of making the accreditation exercise valuable for institutions for which meeting the basic requirements is not (likely) at issue and the related task of ensuring that accreditation fulfills its role of quality improvement for the full array of institutions. The regionals have approached this task somewhat differently. In the New England and Middle States regions, institutions are invited to propose self-studies with a special emphasis designed to align the energy of the accreditation process with key educational concerns or initiatives of the institution; visiting teams, while also ensuring that the institution fulfills the standards, pay special attention to the identified focus. WASC designed its two-stage process of capacity and effectiveness reviews largely in response to the needs of the large institutions that dominate the region (68 percent of students in the WASC region attend institutions of ten thousand or more students; in New England, that figure is 29 percent). SACS sequestered its compliance criteria to the first stage of its process and emphasizes the quality enhancement

proposal element, and the Higher Learning Commission (North Central) developed the Academic Quality Improvement Program (AQIP) to provide an alternative process for institutions that prefer a continuous improvement model over periodic review.

The mobility of higher education presidents, provosts, and other academics encourages good ideas developed in one part of the country to find an audience for consideration in another part. Accrediting teams in many regions frequently include members from other parts of the country. Furthermore, strong presidential and academic associations, most notably the six major institutional organizations and (the late) American Association for Higher Education and now the American Association of Colleges and Universities, provide nationally structured platforms for academics to speak to their regionally structured accreditors. (These six are the American Council on Education, American Association of State Colleges and Universities, American Association of Community Colleges, Association of American Universities, National Association of Independent Colleges and Universities, and National Association of State Universities and Land-Grant Colleges.) Finally, the regional accreditors have strengthened their own cooperative muscles of late, united by proposals from Washington and, more positively, on joint efforts around distance learning and assessment.

## **Accreditation's External Relationships**

### **11. Accreditation is in an evolving relationship with the federal government**

With nearly \$90 billion invested annually in federal financial aid, the government, representing taxpayers, deserves a robust system to ensure that the schools the recipient students attend are of sufficient educational quality. And in fact it was the increasing amount of federal financial aid that both increased access to higher education and led to the recognition of accreditors as the gatekeepers to federal funds.

The federal program to recognize accrediting organizations as “reliable authorities concerning the quality of education or training offered by the institutions of higher education . . . they accredit” began quietly. From what has been called the second GI bill, providing support for returning veterans from the Korean War, the federal government began to rely on accreditation organizations to identify institutions educationally worthy of taxpayer investment in the form of federal financial aid to students. Thus, when the Higher Education Act was first passed in 1965, greatly expanding federal financial aid to students, the government turned to accreditation to identify institutions eligible for student payment of this aid. The process was developed by 1968 and conducted initially by federal staff.

Viewed through the lens of federal financial aid, institutions were overseen by “the triad”: states for purposes of licensure and basic consumer protection, the federal government for purposes of effective oversight of

financial aid funds, and recognized accreditors to ensure sufficient educational quality.

At the beginning, the process appeared to pose no challenges to the authority of accreditation and therefore the autonomy of institutions. As late as 1986, the director of a regional accrediting commission described the relationship with the government as “benignly quiescent” (Cook, p. 166). But things had begun to change on two fronts: expectations for what has come to be called assessment of student learning and problems with the use of federal financial aid.

In 1984, a federal panel established by the National Institute of Education published *Involvement in Learning*. Arguing for access and degree completion, the panel also identified the need to focus more clearly on student learning outcomes. That same year, SACS developed a standard on institutional effectiveness, a move adopted soon after by the other regionals. These efforts built on an emerging body of research on student learning in higher education and helped spur the assessment movement (see, for example, Ewell, n.d.).

Meanwhile, the availability of large amounts of federal financial aid had attracted a few bad actors into the business of postsecondary and higher education. There were instances, most but not all outside the realm of regional accreditation, of institutions with high student loan default rates, where allegations of fraud and abuse seem not to have been misplaced.

The relationship between accreditors and the federal government changed abruptly during the 1992 reauthorization of the Higher Education Act. Most dramatic, Congress, distressed with high student loan default rates and frustrated that accreditors were not taking action, at one point considered breaking the link between accreditation and federal financial aid to students. Instead the reauthorized act included the establishment of state postsecondary review entities (SPREs), which would have had states conduct reviews based on stringent quantitative criteria in instances triggered by high institutional loan default rates. The SPREs also gave states the authority to conduct investigations where they had reason to believe there were problems. The threat was never realized: the 1994 Republican Congress declined to fund the SPREs, and they were written out of the law during the 1998 reauthorization.

The discussion of the SPREs highlighted the very differing capacities of states to oversee basic quality in higher education and their enthusiasm for undertaking the role with respect to independent higher education. Some states have robust processes to oversee the quality of independent as well as public higher education, some have satisfactory licensing processes to establish an effective floor, and some now outsource quality assurance by requiring accreditation by a regional accreditor or other federally recognized body. But a few states—fortunately a decreasing number—have declined to set a reasonable minimum bar for operation, attracting institutions of minimal quality or, in some cases, degree mills.

The 1992 reauthorization also upped the ante on student learning assessment. The bill specified areas that accreditors needed to include in their standards and reviews, including curriculum, faculty, and student achievement. The new bill established the National Advisory Committee for Institutional Quality and Integrity (NACIQI) as the group making recommendations to the secretary of education regarding the recognition of accrediting agencies; staff now provide the background information and make a recommendation to NACIQI. That members of NACIQI are appointed by the secretary of education raises concerns about the extent to which political agendas have been pursued, however.

As the government engaged accreditors on the matter of assessment, the engagement was generally in line with accreditation's approach to assessment, that is, as a means of providing evidence useful for institutional improvement. But the game seemed to change when the Commission on the Future of Higher Education, established by Secretary of Education Margaret Spellings (and referred to as the Spellings Commission), issued its report in 2006; the administration and its supporters were highly critical of accreditation for not providing "solid evidence, comparable across institutions, of how much students learn in colleges or whether they learn more at one college than another" (p. 13).

The atmosphere for increased federal concern, if not scrutiny of academic quality in higher education, is influenced by two recent trends:

- Higher education is more important than ever before. For individuals, the route to the middle class relies increasingly on higher education. Over a lifetime, a worker with a bachelor's degree has estimated earnings nearly twice that of a high school graduate.
- Higher education is more expensive than ever before in terms of both direct cost during the college years and the accumulation of debt upon leaving higher education. By 2006, approximately two-thirds of students with a bachelor's degree graduated with debt that averaged nearly twenty thousand dollars (Project on Student Debt, 2007).

As the Higher Education Act becomes more complex (the 2008 version runs over eleven hundred pages) and the experience of recognition surfaces new issues that the Department of Education seeks to address, the regulation surrounding the recognition of accreditors has intensified. This recognition system has become increasing complex—and some would say intrusive into the business of accreditation. How the regulation is carried out also matters; the approach taken by Secretary Spellings, bolstered by the report of her Commission on the Future of Higher Education, was activist, changing the atmosphere and raising the stakes (Lederman, 2007).

Peter Ewell (2008) has identified a major cause of the tension between federal regulators and accreditors as the "the principal-agent problem." In this case, the principal is the federal government, and the agent is the

accreditor, authorized to carry out a quality assurance function on behalf of the principal. Because the agent, the accreditor, is close to the institutions whose quality it oversees, it is “captured” and imperfectly fulfills the expectations of the principal. But accreditors do not think of their primary role as federal agents. Thus, the agendas of the principal and the actors are not entirely congruent, resulting in a heightened desire for control—regulation—on the part of the government-as-agent and a reluctance on the part of accreditors to assume additional regulatory functions in their relationships with colleges and universities.

The 2008 version of the Higher Education Act does not permit the secretary of education to regulate the portions of the law on how accreditors should specify and examine institutions with respect to student achievement. And NACIQI will be restructured so that members are appointed equally by the secretary of education, the House, and the Senate, the latter two with bipartisan members. Given the importance and expense of a college education, however, the importance of understanding the educational effectiveness of institutions will not abate. And the Higher Education Act is reauthorized every five years, so there is every reason to believe this saga will continue.

## **12. Colleges and universities are the members of accrediting associations and also influence accreditation through their other membership organizations.**

The national presidentially based professional associations have had a long history of working to coordinate, oversee, and reduce the “burden” of accreditation on member institutions. As accreditation developed, some of the larger, more complex institutions were being visited not only by their regional accreditor but also a growing number of specialized accreditors. In 1949 a group of higher education associations formed the National Commission on Accreditation, with the goal of reducing the duplication and burden to institutions resulting from multiple accreditors.

About the same time, the regional accreditors joined together to create the National Commission on Regional Accrediting Agencies, replaced in 1964 by the Federation of Regional Accrediting Commissions of Higher Education (FRACHE). In 1975, in an attempt to create a strong central authority for accreditation, FRACHE, which by then included some of the national accreditors of career schools, and the National Commission joined forces to create the Council on Postsecondary Accreditation (COPA).

One of COPA's most visible activities was the development of a process to recognize accreditors. The process had two main goals. The first was to ensure that accreditors comported themselves suitably in their relations with institutions. For example, provision was made to ensure that accreditors initiated an accreditation review only on the invitation of the institution's chief executive officer. Process requirements ensured that the institution had an opportunity to review a draft accreditation report and ensure it was factually correct. The second purpose was to guard against what the presidential

associations saw as the proliferation of accrediting associations, as new groups were being established and seeking their legitimate place at the table. This goal proved challenging, as there was external and considerable institutionally based support for a continuing parade of new specialized accreditors.

Upon legal advice, COPA determined that it must entertain the application of any accreditor that met its requirements for recognition regardless of whether there was an existing accreditor in that field. Somewhat to the dismay of the presidents, this meant that not only was there less likelihood of holding new accreditors at arm's length, but also that there could be multiple accreditors in a field. Today there are multiple accreditors in business, nursing, and education. Interestingly, while presidents and provosts have at times resisted the establishment of new specialized accreditors, as assessment and the understanding of student learning outcomes has become more important, it is often the professional programs, pushed by these same accreditors, that have experience valuable to their campus colleagues on how and how not to approach assessment.

COPA's governing board voted to dissolve the organization in 1993. The various components served by COPA—the presidents and the several types of accreditors—were not working well together, and all parties were dissatisfied with how COPA had represented accreditation during the reauthorization of the Higher Education Act. COPA's task in the reauthorization was particularly difficult at the time because some of the national institutional accreditors that it recognized oversaw for-profit institutions with high default rates and the major source of the “fraud and abuse” concerns. Thus, COPA was challenged to have a clear voice representing all of its constituents.

The demise of COPA threatened to leave a vacuum. The Commission on Recognition of Postsecondary Accreditation (CORPA) was created to continue the recognition function, essentially picking up that process where COPA left off. Establishment of a broader organization was first attempted by the National Policy Board, a group of regional accreditors and major higher education associations, but the group could not reach consensus. In 1995, the Presidents Work Group was established to propose a national organization concerned with accreditation. In an institutional referendum, 54 percent of institutions voted, and among those, 94 percent voted to create the Council for Higher Education Accreditation (CHEA) (Glidden, 1996).

Unlike its predecessor, CHEA is an organization of institutions accredited by a recognized accreditor for which 50 percent or more of its institutions are degree granting. (This definition excludes some of the national institutional accreditors, giving CHEA greater focus than COPA had but making it more difficult for CHEA to be the overall convener of accrediting organizations.) CHEA has taken over the role of nongovernmental recognition of accrediting organizations, a role valued for providing access to a legitimizing recognition function for higher education accreditors that are

not federally recognized. To be eligible for federal recognition, accreditors must be gatekeepers to federal funds, generally but not exclusively Title IV. Earlier, the recognition process was open to all accreditors, including accreditors of K-12 schools, and then all postsecondary accreditors. (ABET, the engineering accreditor, withdrew from federal recognition in 2001, believing its move to emphasize outcomes assessment was not compatible with federal requirements.) CHEA has also played an active role in the reauthorization of the Higher Education Act, has an active program of publication and organizes meetings that serve as the major national forum for academics, accreditors, government officials, the press, and international guests to discuss matters related to accreditation in the United States.

After the demise of COPA, the accreditors organized themselves into mission-alike groups. The regional accreditors regrouped into the Council for Regional Accrediting Commissions (C-RAC) providing a forum for cooperation, professional development, and external relations. C-RAC executives meet three or more times a year, once with commission chairs; and the professional staff hold a retreat every two to three years. C-RAC has developed policies and other statements on assessment, the mutual recognition of accreditation decisions, and the review of distance education. Periodically C-RAC meets with the Association of Professional and Specialized Accreditors to discuss topics of mutual interest.

The recognition criteria of CHEA and the U.S. Department of Education differ. Consider, for example, the contrast between the requirement by CHEA that accreditors notify the public of their decisions—that the accreditor has “policies and procedures to notify the public” of its decisions—with the regulation by the government, stated in 375 words, including the prompt notification of government authorities. Similarly, the requirements for accreditor oversight of branch campuses and instructional locations have increased dramatically, a topic about which CHEA recognition is silent.

With the secretary of education’s role on regulating how accreditors approach student learning outcomes limited by the 2008 requirements, the door is open to CHEA, as a voluntary higher education body, to address the matter more in keeping with the traditions of self-regulation and good practice in accreditation.

## **Conclusion**

Accreditation developed within the freedoms given higher education as the United States developed. Reflecting the American culture, accreditation has provided the context in which America’s prized diversity of colleges and universities has developed. For half a century, accreditation, still changing, has provided a buffer between institutions of higher education and government, providing student access to federal financial aid while significantly preserving institution autonomy. Now, at a time of change in the economy,

technology, and the federal government, accreditation has the opportunity to assess its status and context and prepare for its future.

### Note

1. When NEASC began its accreditation program in 1952, the institutions previously accepted into membership were grandfathered and cycled into a new program of periodic review.

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Tom Dawson  
NACIQI Remarks, "Outside the Box"  
February 3, 2010

We at the Gates Foundation are working on two primary domestic strategies here in the United States. For the last ten years, we have been working on K-12 school reform, and are focused currently on dramatically improving the rates of college readiness among students in high schools around the country. Most people when they think of Gates and its involvement in education, think of our work in the K-12 realm.

However, for the last two years we have been in the process of launching a new initiative which concentrates on college completion. Our goal is to double the number of students ages 16-26 who receive some form of college credential, be it a certificate, an associate's degree, or a baccalaureate degree. But we know that just increasing the number of credentials would lead to a number of unintended consequences. So we are committed to ensuring that credentials have labor market value.

On the policy side, we spend time on three big issues. First, as we all know the quality of data in higher education is very poor. And while data in higher education is not an issue without controversy, we believe unequivocally that state by state, college by college, we need to know how students are performing, broken down by race and income. How long does it take to complete an associate's degree in a given field or what should be a four-year degree? How much will it cost me and what are my job prospects when I get out regardless of the school I attend? These are questions that some of our grantees like Complete College America are working on, but states and schools must be able to answer these questions in our view, both for students and the general public.

We also think that how we fund higher education ought to change. We must have incentives for retention and completion, in how states fund schools, and in our student aid programs. And finally, because of our belief in the power of technology and because of the broader fiscal climate, we must develop policies that promote alternative delivery of education. We should hold schools responsible for what students learn in our view, not how long they are enrolled, not what type of school they attend, or if they're in a classroom or online. Policies should demand results in terms of learning, and encourage students to move toward a degree as rapidly as possible, regardless of the venue in which students are enrolled.

So what does this mean for accreditation? We are just rolling up our sleeves in this area, but we think accreditors play a pivotal role. And while the role of student learning and accreditation is also not an issue without controversy, we think policies should encourage accreditors to provide clear, transparent information on how students are performing in the colleges they accredit. We know accreditors are moving in this direction, and policies should encourage them further. Policies should also encourage accreditors to post information on retention and completion, and make that information accessible to the public as well.

And lastly, policies should not discourage accreditors from allowing schools to use online learning or to accelerate time to degree for students. While policies must also promote quality and weed out poorly-

performing schools, research does not tell us that online learning is inferior. In fact, research tells us that if structured properly, online learning can boost student outcomes. We at Gates are particularly interested in hybrid learning models that use both classroom and online instruction, which research tells us is particularly effective, and competency-based education which is based on students using technology to demonstrate mastery of academic content, versus traditional accumulation of credits toward a degree. Most importantly, in the current environment, we will not reach our completion goals without expanded use of online learning. Research also tells us, especially for low-income students, that pathways to accelerated degrees are critically important. Time is not always our friend with regard to students earning degrees, so policies should not unintentionally punish acceleration or discourage accreditors from approving these types of models. Thank you for your time today, and I look forward to your questions.

***ROLES AND RELATIONSHIPS: ACCREDITATION AND  
THE FEDERAL GOVERNMENT***

*Remarks by Judith S. Eaton, President  
to the  
National Advisory Committee on Institutional Quality and Integrity  
February 3-4, 2011*

***ROLES AND RELATIONSHIPS: HOW DID WE GET HERE?***

However unexpectedly, we have arrived at a decision point about accreditation and the federal government. We need to answer, once again: "What role is U.S. accreditation to play in the future?" and "What need to be the defining features of accreditation's future relationship with the federal government?" The policy forum document that provided the conceptual foundation for this meeting makes this clear, as does the December 23, 2010 letter of invitation to serve on a panel, indicating that the forum's purpose is to develop recommendations to "...change and strengthen accreditation" – a description of purpose that assumes accreditation needs to be modified in some ways.

To address the decision point and once again develop answers about accreditation's role and relationship to government, we need to look briefly at the fundamentals of accreditation, the key elements of the federal interest in accreditation and the national conversation about accountability. What answers might we fashion?

***The Role of Accreditation and Fundamental Principles***

It is worth reminding ourselves that accreditation has long served as the primary vehicle for assuring and improving quality in higher education. Students, governments, employers, the press and the public all acknowledge this role. Accreditation's fundamental principles provide the grounding for a process that involves careful examination of colleges, universities and programs. Accreditation establishes confidence that an institution or program meets at least threshold standards of quality and engenders trust that college or university credentials or degrees will be respected.

Accreditation, calling for an independent, peer/professional review of higher education quality, is based on four fundamental principles:

- Responsible academic independence of institutions and academic freedom of faculty are essential to sustaining the quality and success of higher education.
- Self-regulation through accreditation is a demonstrably effective means to review, judge and assist with improvement of the complex set of educational experiences offered in our colleges and universities.

- A strong institution–accreditor relationship is central to assure that institutions, in carrying out respective missions and academic leadership responsibilities, sustain ongoing improvement and are appropriately scrutinized with regard to achieving their goals.
- Acknowledging and acting on appropriate accountability is a key element in sustaining credibility with federal and state government, students and the public.

### ***The Relationship of Accreditation and the Federal Government***

The accreditation-federal government relationship began some 60 years ago, with government turning to these nongovernmental bodies as reliable authorities about the academic quality of institutions that sought eligibility for federal funds. A public-private partnership was created. The relationship came to be built around “recognition,” a periodic scrutiny of accreditation standards and practice carried out by the federal government.

Over time, as higher education enrollments grew, as the Higher Education Act of 1965 and subsequent amendments were enacted and as increasing amounts of federal money were made available to institutions and students, federal interest in accreditation practice grew. The initial scrutiny of accreditation became codified in law and the government’s expectations expressed through regulation routinely expanded and became increasingly complex.

### ***Enter “Accountability”***

Both the role of accreditation and the accreditation-federal relationship are caught up in a dynamic captured by the term “accountability.” Today’s accountability is multi-dimensional. It is about answering to the public about student learning and relying on external regulation of many social institutions. It is about full transparency and efforts to standardize expectations about quality and performance to enable instant judgment and comparison.

For accreditation, accountability has meant additional attention to student achievement and information to the public, primarily through revisions to accreditation standards and policy. There have been major changes during the past ten years, with institutions and programs now required to establish expectations of student achievement and provide evidence of success. Colleges and universities are to expand the information they provide the public about what students learn. Coincident with the work of accreditation, many academically driven efforts to enhance accountability and improvement have been developed through national higher education associations, including, e.g., the Voluntary System of Accountability of the Association of Public and Land-grant Universities and the Essential Learning Outcomes of the Association of American Colleges and Universities.

Today’s accountability has also meant, more often than not, that accreditation is described, albeit erroneously, as inadequate. It is not enough, apparently, to (1) be answerable to the institutions and programs that are reviewed (self-regulation), (2) make extensive use of peer/professional review, (3) provide some but not all information to the public, (4) rely heavily on qualitative judgment about academic quality and (5) sustain a mission-based approach to quality that may not readily lend itself to standardization of expected results. This is accompanied by a tendency to overlook the value of

accreditation especially with regard to quality improvement and to ignore the contribution of accreditation to what is, unarguably, a higher education enterprise highly valued for both its access and quality for many decades.

For government, today's accountability has meant the challenge of overseeing the profound public responsibility that accrediting organizations shoulder with regard to appropriate expenditure of federal funds. An enterprise that routinely provides access to hundreds of billions of dollars of public money requires ongoing scrutiny. The result has been government (1) becoming more and more engaged in the day-to-day operation of accreditation and (2) increasingly involved in judging what institutions are to be accredited, along with accreditors. Accountability has also meant protecting the public against shoddy quality or, worse, outright fraudulent degree mills and accreditation mills.

Accountability has introduced enormous tension into the accreditation-federal relationship. On the one hand, we have an accrediting community that continues to value and advocate for its fundamental principles as the basis for continuing its work. It is focused on accountability but, even as it addresses these issues, there is great apprehension that the pressure to act and the continued assertion of accreditation's inadequacy will force the abandonment of its fundamentals. On the other hand, we have a federal government that is strongly pressured to put accountability first, responding to demands deriving from the amount of federal money in the higher education, determination that the United States needs to do more to be internationally competitive and demands for transparency and value for money from taxpayers, the press and students. There is diminishing acknowledgment of accreditation's fundamental principles.

### **WHAT DO WE DO?**

Some argue that accreditation must fully accommodate current accountability demands, even at the price of its fundamental principles. They often want to achieve this through expanded federal or sometimes state control. Others argue that accreditation's fundamentals and effectiveness should not be the price of accountability, that accreditation should retain the capacity to address accountability on its own. They argue that accreditation works best when it reflects grass-roots, consensus-driven decision-making of colleges, universities and programs – and this includes accountability.

The Council for Higher Education Accreditation (CHEA) has long argued that the issue is not either/or. This is key to providing a fresh response to the questions about the future role of accreditation and its relationship with government.

*First, accreditation can both retain its principles and work with the academic community to further strengthen its accountability.* Building on the progress described above, accreditation, institutions and programs can (1) explore means to identify common expectations of what counts as desirable results from successful colleges and universities, (2) identify and share effective practices in transparency, (3) concentrate on building greater expertise among the thousands of peer review volunteers and (4) additionally strengthen the efficiency and effectiveness of quality improvement. Provided that these efforts are driven by the academic community, relying on its institutional leadership and focusing on grass-roots consensus, they are consistent with fundamental principles undergirding accreditation.

*Second, CHEA has urged that the federal government place greater emphasis on holding accreditation accountable to obtain the results – in contrast to directing or prescribing that accountability.* “Holding accreditors accountable” is about the government focusing primarily on evidence that these organizations are meeting federal recognition standards. It does not stipulate how the standards are met; this is up to the accreditor. This is contrasted with “directing or prescribing accountability” that does specify how standards are to be met, in addition to obtaining evidence. When recognition review results in a judgment that an accreditor needs to do more with, e.g., the evidence it obtains with regard to federal standards about curriculum or faculty, this is holding accreditors accountable. When the review results in telling the accreditor that, e.g., it must set specific curricula or faculty credentials in place to meet its standards, this is directing or prescribing accountability.

We have, unfortunately, a growing number of examples of a shift from “holding” to “directing and prescribing.” These include a new regulation that accreditors must use a federal definition to judge institutional decisions about determinations of academic credit hours. They include the most recent appeals language in the Higher Education Opportunity Act of 2008, with government designing this process for all accreditors. Most recently, they include a requirement that an accreditor must annually report to the government with regard to actions to accredit institutions new to the accreditor.

Even the language that is used in the federal recognition review supports federal directing and prescribing accountability. Might we cease talking about recognition review as a “petition” – suggesting that accreditors are supplicants? Might we talk less about “compliance” with federal expectations and more about, e.g., “alignment” or “providing evidence” with regard to meeting federal standards? Changing the language might also be accompanied by discouraging practices that are at odds with the fundamental principles of accreditation, e.g., an emerging “co-accreditation” or government officials offering second opinions about the peer-based judgments to accredit individual institutions.

### ***Accountability Revisited***

*Third, we would all benefit if we could agree that the accountability conversation needs to be focused on institutional performance as our key evidence of student learning.* Accountability, as indicated above, covers many things. Yet, especially with regard to student learning, our conversations rarely reflect clarity with regard to how we address accountability. Sometimes we want information about the achievement of individual students. At other times we want information about the performance of institutions. Some treat success with rankings such as *U.S. News and World Report* as being accountable. We need agreement, for public policy purposes, about what counts as accountability in this vital area.

With regard to individual student achievement, there is no way to create and implement a single national judgment about learning for each of the millions of students in higher education. And, judgment about student achievement is the work of faculty, not government and not accreditation.

Might we agree to give primary attention to institutional performance indicators as addressing accountability to the public for student learning? We can identify a short list of indicators, e.g., graduation, achievement of educational goals other than degree

acquisition, entry to graduate school, successful transfer and (where appropriate), job placement. Indicators would be mission-driven; there are many other options. Whatever the indicators, they focus accountability attention where it needs to be: on evidence that our colleges and universities are producing results.

Primary attention to institutional performance indicators has many benefits. It creates common ground for the academic community, accreditation and the government when addressing accountability. It encourages institutional leadership and institutional improvement. It respects institutional mission. It does not second-guess the work of faculty. It will likely produce greater transparency. It will likely lead to greater comparability. Use of indicators clarifies the role of accreditation in society. It provides a fresh baseline for the accreditor-government relationship.

There are drawbacks as well. There are those who believe that institutional performance is not an adequate means to address academic quality. Some would argue that agreement on performance indicators would be a first step toward national standards for higher education and this is undesirable. In contrast, others would maintain that using mission to drive the indicators reinforces a lack of accountability.

If the federal government, accreditors and the academic community could agree that information from institutions about performance indicators addresses our accountability expectations, the task of accreditors would be to assure that institutions have established performance indicators, collected evidence, judged the evidence and published the evidence of their results. The task of federal recognition would be to hold the accreditors accountable that institutions are doing this work.

***The Decision Point: Answering Once Again – A Summary***

“What role is U.S. accreditation to play in the future?” The role of accreditation is to affirm and enhance the academic quality of our colleges and universities. This is done most effectively by building on the four fundamental principles stated above, accompanied by a significantly expanded investment in shared expectations and evidence of success with clearly stated institutional performance indicators. It works best when relying on an even more robust peer review process with enhanced expertise when reviewing institutions.

“What need to be the defining features of accreditation’s future relationship with the federal government?” We need a public-private partnership, defined around standards and regulations holding accreditors accountable for assuring that colleges and universities comprehensively and effectively address institutional performance indicators in the context of mission. This needs to be done in a context that acknowledges the fundamental principles of accreditation, supports efforts to enhance transparency and insists on responsibility for performance.

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# Higher Education Quality Assurance in America: Approaching a Crisis

Peter Ewell and Dennis Jones

National Center for Higher Education Management Systems (NCHEMS)

The Obama administration has set an ambitious goal for American higher education that would once again place this country at the forefront of the world in the proportion of young adults with a college credential. Given the centrality of higher education in providing significant returns on investment for individuals and our collective workforce, as well as the need for an informed citizenry to preserve our democratic institutions, this goal is fitting and proper. But it cannot be attained at the price of quality. The credentials earned through this expansion must be as good as any in the rest of the world.

Unfortunately, this challenge is occurring at a time when the nation's quality assurance processes are overworked, badly aligned, and in some cases inappropriate. The traditional "Triad" for overseeing quality, in place since the Higher Education Act (HEA) of 1965, consisting of the Federal government, the states, and voluntary institutional accreditation needs critical re-examination. Federal inspection and oversight mechanisms are strained and difficult to maintain in today's fiscal environment. State oversight and approval rules are inconsistent with one another and vary substantially in how rigorously or vigorously they are pursued; institutions, especially in the proprietary sector, know this and choose their new locations judiciously to seek minimum oversight. Accreditation, never designed to fulfill the role of inspector in the first place, is undercapitalized, inconsistent with respect to standards and outcomes, and is hard for all but a few insiders to understand. In the light of these conditions, the time seems right for a reappraisal of the system as a whole and of institutional accreditation in particular.

**Actors and Functions.** In addition to the members of the formal Triad—the federal government, states, and accreditors—actors affecting quality assurance in American higher education also include employers, associations, and the media. Each of these players comes to the topic of quality from a different direction and with a different set of motives, yielding a pattern of complexity unmatched by any other country.

- The Federal Government. Because higher education in the U.S. is either private or funded by the states, the role of the federal government is constructed narrowly. Insofar as funds are granted to institutions directly—for research and special grant programs—quality is examined directly through peer review or evaluation. For the majority of funds that are provided indirectly through student assistance programs (grants and loans), the role of the federal government is confined to determining the ability of institutions to serve as effective stewards of federal funds and seeing to it that the interests of students are protected. The first function is discharged through financial aid regulation and oversight, while the second is fulfilled by “deputizing” accreditation to serve as a federal inspector.

- States. States play several roles in assuring quality in higher education. For the public institutions that states fund and govern directly, a range of quality review mechanisms are in place. Most maintain program review systems that periodically evaluate programs through productivity/placement measures, self-reports, and peer reviews. But shrinking state budgets have heavily constrained state ability to do this lately. Some states also have student assessment programs that examine student learning outcomes directly. But the methods used range from standardized testing through faculty rating of student work outside the grading process. And many states have nothing at all. At the same time, states license non-public institutions to operate within their boundaries. But while some of these licensing activities are rigorous and ongoing, most are cursory and occur only once. At least as important, no two states are alike in how they manage this activity. Finally, states directly govern quality in a limited number of professions by licensing individuals to practice through examinations administered by state boards.
- Accreditors. Since the mid-1950s, institutional accreditation has served as a “gatekeeper” of federal funds for colleges and universities by conducting periodic reviews of institutional quality. Increasingly, moreover, these reviews have required institutions to assess student learning outcomes at both the program and the institutional levels. But accreditation was not originally designed to discharge this role and is in many areas not performing it well. The geographic coverage of regional accreditation commissions makes little sense any more, the sector lacks common standards and procedures (especially with regard to student learning outcomes), and accrediting organizations are significantly undercapitalized when compared to quality assurance bodies in other countries, resulting in indifferently trained teams and uneven reporting. Most importantly, while accreditation requires institutions to “do assessment” it is silent on the actual level of student performance that is expected at different degree levels.
- Employers. Although they are not a formal part of the “Triad,” employers play an indirect role in assessing quality by providing the decisive “market test” for higher education’s products. Periodically surveyed about the desired attributes of potential workers who are college graduates, they have recently acquired a collective voice about the need for accountability for learning through such organizations as the Business Higher Education Forum. And some, like Boeing, are undertaking a direct examination of the educational backgrounds and abilities of their employees in order to spur the colleges and universities that constitute their supply chain for new workers toward greater efforts.
- Non-Governmental Organizations. Another player of increasing importance in the realm of quality assurance for higher education consists of third-party not-for-profit organizations that rate college and university performance and publish the results. Examples include the National Center for Public Policy in Higher Education that produced biennial *Measuring Up* reports grading state performance and the Education Trust/Education Sector that maintains the website

*College Results On Line* listing publicly reported graduation rates for four-year colleges and universities. Such organizations generally collect no data, but instead repackage existing data in a manner that allows ready comparisons.

- The Media. In many ways similar to these non-governmental organizations, commercial media frequently serve as independent arbiters of quality by surveying institutions and publishing rankings. The *U.S. News and World Report* annual rankings are the most prominent of these—now widely imitated across the globe—while the Shanghai rankings of top research universities have recently become influential.

These six actors play different, but frequently overlapping and duplicative, roles in assuring the quality of higher education. Among those functions that can be distinguished are:

- Setting Standards of Attainment. This role involves determining and promulgating explicit levels of student learning that should be expected of every graduate receiving a credential in every field of study. In many countries this is actualized through a “Qualifications Framework (QF),” a matrix arraying each degree level against particular outcomes dimensions (e.g. written communication), with each cell of the matrix describing a concrete learning outcome. The U.S. lacks a QF, though states set such standards for high school exit and programmatic accreditors have established them for particular fields. And the Lumina Foundation for Education has drafted a prototype Degree Qualifications Framework at the Associate, Bachelor, and Masters degree levels to illustrate the concept.
- Aligning Standards of Attainment. This role involves ensuring that disciplinary learning expectations are adequately aligned across jurisdictions and institutions. Best illustrated by the “Tuning” process in Europe that has now aligned standards in 9 disciplines across 137 institutions in 29 countries. With support from Lumina, a similar prototype project is under way in three states.
- Assessing Standards of Attainment. This role involves developing assessments to ensure that standards of attainment, once established, are reflected in actual student learning at the appropriate level. In some countries, this is accomplished by national exit examinations. In the U.S. the role is performed in a limited number of fields by state licensure examinations.
- Reviewing Institutions and Programs. This role is more general, and involves going beyond learning outcomes to examine institutional and program quality more generally by looking at the adequacy of provision in such areas as faculty, curricular content, pedagogy, library and information resource support, and efficiency. In the U.S., it is traditionally the province of accreditation (institutional and specialized) and state-run program review among public institutions.

Arranging actors and roles in matrix form (Table 1) allows their proper allocation to be discussed systematically. Such discussion is badly needed at the moment because dissatisfaction with the current situation is growing—especially in the realm of accreditation.

Table 1<sup>1</sup>

<b>Actor</b>	<b>Set Standards</b>	<b>Align Standards</b>	<b>Assess Learning</b>	<b>Review Institutions</b>
<b>Federal Government</b>				C
<b>States</b>			C	C
<b>Accreditors</b>				
<b>Institutional</b>	P	P	P	C
<b>Specialized</b>	C		C	C
<b>Employers</b>	P			C
<b>Organizations</b>				C
<b>Media</b>				C

**A Special Focus on Institutional Accreditation.** As shown in Table 1, institutional accreditation is uniquely positioned to play an important role in all four critical functions of a learning-centered quality assurance system for higher education. Unfortunately, this role remains a potential because of serious defects in the construction of today’s regional and national accrediting organizations—especially with respect to the first three functions. In order to begin to realize this potential, the following changes would be required:

- **Rationalize Institutional Coverage.** Currently, institutional accreditation is undertaken by seven commissions in six geographic regions, supplemented by a dozen national accrediting organizations that accredit particular types of institutions. The regional basis for most public and not-for-profit institutions is rooted in history, but makes very little sense today. The regions themselves are of vastly disproportionate size (the smallest has two states and the largest nineteen) and at least one divides responsibility for two-year and baccalaureate/masters institutions between two different commissions. A structure locating responsibility for different kinds of institutions in corresponding commissions—perhaps assigned by Carnegie Classification—would enable standards and reviews to better match institutional characteristics and would be better understood by external stakeholders.
- **Create Graded Levels of Accredited Status.** The current system has only two levels—accredited and not accredited. Under these circumstances, accreditors are reluctant to deny accreditation because loss of it may doom an institution. At the same time, the vast majority of institutions are strong enough to have little to fear

<sup>1</sup> A “C” entry in the table indicates that the actor *currently* plays this role (at least in part). A “P” entry indicates that the actor could *potentially* play this role and arguably should.

from accreditation, so have few incentives to engage in it beyond compliance. Most higher education quality assurance systems in other countries have at least three quality tiers and information on institutional performance is made public. Adopting this approach for U.S. accreditation would provide stakeholders with more and better information and would increase institutional incentives to participate.

- Publicly Communicate the Results of Accreditation. Currently, accredited status is all that is publicly communicated at the conclusion of a review. This practice, of course, provides the public with very little information about performance. Beginning to publish short summaries of review results with straightforward descriptions of institutional strengths and weaknesses would help this situation considerably.
- Align Learning Outcomes Statements and Standards. All institutional accreditors currently specify broad learning outcomes for undergraduate degrees. But no two of them are the alike and they name these outcomes without specifying required levels of performance. In parallel, all institutional accreditors require institutions to gather evidence about learning outcomes, but they do not require institutions to set expected levels of performance and determine if these are actually met. Moving in this direction using guides like the common learning outcomes proposed by the Association of American Colleges and Universities (AACU) in its Liberal Education for America's Promise (LEAP) initiative or the Lumina Degree Qualifications Framework would both align institutions around common standards and yield meaningful stakeholder information.
- Discipline Peer Review. U.S. accreditation rests heavily on peer review—a process through which teams of individuals drawn from other institutions visit a campus to verify the self-study and apply the standards established by each commission. In contrast to reviewers in other countries, peer reviewers in the U.S. are essentially uncompensated and receive little explicit training on how to conduct a review. In most regions, moreover, they are unaccompanied by commission staff who might guide them in reviewing evidence and reaching conclusions. Furthermore, although this is beginning to change, there are few protocols for assembling and assessing evidence systematically during a visit. The result, not surprisingly, is considerable unevenness across reviews with respect to topical coverage and rigor. Substantial investments are needed to more thoroughly train reviewers as semi-professional auditors, suitable standard protocols should be created to render reviews more consistent, and staff should accompany teams on all institutional site visits.
- Increase the Number of Public Commission Members. While all U.S. accrediting commissions contain “public” members—individuals drawn from outside the academic community—they at most seat two or three. As a result the process is frequently perceived as “insider trading” by the public and external stakeholders. Increasing the proportion of public members to somewhere in the neighborhood

of one third would do much to address this perception and would help ensure that quality review is more centered in the public interest.

Many of these proposals were made in the wake of the 1992 reauthorization under the auspices of the National Policy Board for Institutional Accreditation established by the American Council on Education (ACE). It is time to revisit them.

## Outline of Testimony for NACIQI

Peter Ewell

National Center for Higher Education Management Systems (NCHEMS)

### My Background:

- More than 30 years of experience of writing and consulting with institutions, states, and accreditors on institutional quality and the assessment of student learning outcomes
- Work with accreditors goes back to writing for COPA in the late 1980s, significant writing and consulting with CHEA, and work with individual accreditors—principally the WASC Senior Commission in the design of its 2001 standards
- Most relevant writings for this meeting:
  - U.S. Accreditation and the Future of Quality Assurance* (CHEA 10<sup>th</sup> Anniversary Monograph)
  - Refashioning Accountability* (1997) with Jane Wellman—which touches on most of the issues you will be considering in the next two days

As a member of the opening panel, I was asked to particularly frame evolution of the role of accreditation in quality assurance historically, then review its current condition.

### Evolution of Accreditation's Quality Assurance Role:

- Institutional accreditation is more than 100 years old (1885 NEASC to 1924 WASC)
- Began as providing answer to “what is a college?”
- But in early years functioned as much as “associations” as quality reviewers and quite limited numbers of members.
- Gradual inclusion of wider numbers from 1920-1950.
- 1950s as the “Golden Age” with “core method” anchored on four features:
  - Mission-centered review
  - Self-Study
  - Peer Review
  - Emphasis on Institutional Improvement (which is its major current strength)

- Federal connection signaled by HEA of 1965, where accreditation “deputized” to look at institutional quality as part of determination of Title IV eligibility
  - Examine institutional “stewardship” of federal funds
  - Ensure students were gaining credentials of value
  - “Gate-keeping” role entails need for federal review and approval of accreditors to play this role
- But challenges associated with this role from the outset (e.g. Second Newman Report of 1973), mostly because accreditation was never designed as a quality inspector and is not really equipped to perform this role
  - Membership organizations
  - Lack of government powers (e.g. subpoena, ability to conduct unannounced visits, etc.)

So there are inherent structural and organizational limits to what accreditation can be expected to do without creating entirely new and different enterprises.

### Current Condition of Accreditation and Quality Assurance

The drawbacks of accreditors as enforcers have been periodically pointed out over the years—usually triggered by a perceived “quality crisis” (e.g. 1992 Amendments and SPRE, Spellings, etc.).

Most of these critiques center on a few common themes, where observers (including me) believe that substantial improvements could be made

- Without impairing accreditation’s significant quality improvement role
- Without imposing a government (federal) solution

Four areas for consideration (just like in 1992-94)

- Need for rationalization and alignment of standards across accreditors—especially in the area of student learning outcomes (note potential of Lumina DQP here)
- Need for greater consistency in the quality judgments produced by peer review
  - Current approach varies too much from team to team
  - Teams don’t get enough training
- Need to address “all or nothing” quality of accreditation decisions
  - Makes accreditors reluctant to sanction
  - Possibility of “levels” of accredited status (e.g. UK QAA “Levels of Confidence”)
- Need for greatly improved transparency with respect to the outcomes of accreditation
  - Public disclosure of results of reviews
  - Require institutions to prominently display evidence about student learning

All of these are areas in which progress is possible and accreditors and the Department can work together.

Our non-governmental, distributed system of Quality Assurance based on the “Triad” remains, in my view, the right way to proceed—and other nations would very much like to have one like it. But it needs a thorough review and overhaul in the period leading up to the next Re-authorization.

**National Advisory Committee on Institutional Quality and Integrity  
February 3-4, 2011**

**Panel:** Perspectives of Accreditors

**Panelist:** Neil Harvison- American Occupational Therapy Association

Madam Chairperson and Members of the Sub-Committee, I am pleased to have been invited as a member of this afternoon's panel. My name is Neil Harvison and I am the Director of Accreditation and Academic Affairs for the American Occupational Therapy Association. In addition, I am currently serving as a member of the Board of Directors of the Association of Specialized and Professional Accreditors (aka ASPA). ASPA represents United States agencies that assess the quality of specialized and professional higher education programs and schools. ASPA member accreditors set national educational standards for entry into 61 specialized disciplines or defined professions to ensure students in educational programs receive an education consistent with standards for entry into practice or advanced practice in each of their respective fields and disciplines.

I have been asked to provide some brief remarks on what is working (and not working) in the current system of recognition, accreditation, and institutional student aid eligibility. I would like to start my remarks with the positives. Fortunately, from the perspective of the specialized and professional accreditors, there is more working (than not) in the current system. The overwhelming majority of our agencies are experiencing a growth in programs and institutions seeking accreditation. Our accredited programs enjoy high graduation and employment rates and continue to attract students from around the world that recognize the United States programs as the gold standard in their respective fields. In addition, professional organizations and educational programs in foreign countries frequently adopt our accreditation processes and seek accreditation by U.S. agencies. The strength of our system lies in a number of important principles that are supported through the current federal statutes and should be protected through the next reauthorization process. These key principles include:

- 1.) Independence of institutions of higher education, accrediting organizations, the federal government, and state government. It is this independence and the working relationship

between each of these stakeholders that is the strength of our model. Under the law, the relationships among these entities and the responsibilities these entities have to each other are structured to retain their independence. It is clearly stated that it is not the intent of the federal statutes to “increase the authority of the Federal Government over education”.

- 2.) Protection in the statutes of the accrediting agency independence, especially with regard to standards setting, decisions about the accredited status of institutions and programs, and operational autonomy. The statutory language indicates that an “agency or association [eligible to be recognized to fulfill specific federal purposes] is [or functions in a manner that is] separate and independent, both administratively and financially of any related, associated, or affiliated trade association or membership organization.”
- 3.) The statutes define the relationship between accrediting agencies and the Secretary confirm that that the Secretary must respect the decisions of institutions and accreditors in academic matters, and that the Secretary’s recognition process is not to be a means for regulating or otherwise intervening in these decisions. Thus, academic decisions remain the responsibility of the academic institutions and accreditors.
- 4.) Rule of law and checks and balances principles are evident in many federal statutes regarding the relationship of the federal government to the work of accrediting agencies and educational institutions. The statutes require applications of these principles as the Secretary reviews accrediting organizations and as accrediting organizations review institutions and programs.
- 5.) Procedural fairness is required for purposes of trust, consistency, and effectiveness.
- 6.) Reviews are to be conducted and judgments made according to published standards, criteria, and procedures.
- 7.) Differences in institutional purposes, missions, goals, and methods of teaching and evaluation are to be respected and valued.
- 8.) Differences in disciplines and professions inform a variety of structures and approaches to higher education that are to be respected and valued through the accreditation process.
- 9.) The peer review process -- defined as expertise in content and conducted by experts in the field or discipline – is strength of our model.

10.) Appropriate confidentiality is essential to the effective functioning of accreditation. This allows for open and honest communication between the accrediting body and the program/institution being accredited.

Continuing to respect and fulfill the requirements of these principles is essential to the success of higher education, accreditation, their relationship with each other, and all that this relationship means to the future capability and capacity of the United States to fulfill workforce needs. We would ask the sub-committee when preparing their report for the Secretary to support the protection of these basic principles that have served as the foundation for what is right about recognition and accreditation. We recognize that this will be a challenge. Our concern is that the first response to any perceived or real “crisis” in higher education is to call for increased regulation. While the authors of these changes have the best intentions, many of these regulations lead to unforeseen consequences that violate the basic principles underpinning the strengths of our higher education system.

Protection of our stakeholders remains the primary concern to the professional and specialized accreditors. This includes our potential and current students, graduates, programs, consumers of our graduates’ services and state and federal governments. The challenge we face in the recognition process is when the recognition bodies impose prescriptive criteria that potentially violate the principles cited above. It is our contention that the stakeholders can be protected without being overly prescriptive through regulations and criteria. The concept of setting standards and regulations for “learning outcomes”, “student achievement measures” and “program quality measures” is a good example. The recognition process continues to push for regulations to establish set metrics and definitions for each of these measures to be applied consistently in all settings. However, this could potentially violate the principles of (1) independence; (2) the strength that differences in institutional purposes, missions, goals, and methods of teaching and evaluation bring to our education system; and (3) the fact that different disciplines and professions inform a variety of structures and approaches that best meet their learning objectives.

When developing regulations and criteria for the recognition process we would asked that points be taken into consideration:

- 1.) Regulations remain consistent with the text and intent of the law.
- 2.) Regulations only address the operational practices of accreditors under law and are not used to regulate programs and institutions by forcing accreditors to require programs and institutions to address specific content, use particular methodologies, etc.
- 3.) Regulations recognize and support the diversity of types of knowledge, disciplines, professions, etc. by recognizing that this content diversity also requires methodological diversity in accreditation and education.

I would add that we do appreciate the many strengths and benefits of both the USDE and CHEA recognition processes. The existence of both a governmental and non-governmental recognition body plays a vital role in ensuring the quality of accreditation in the United States.

In summary, we are not surprised that much of debate in the field focuses primarily on what some stakeholders perceive as being wrong with the system of recognition and accreditation. We would argue, however, that there are many strengths in the current system that should be protected through the next reauthorization. The stakeholders in professional and specialized accreditation continue to support the process and identify the benefits the accreditation process brings to their programs and professions.

# **Background Documentation**

**regarding the accreditation of institutions of higher education**

**for the**

**National Advisory Committee  
on  
Institutional Quality and Integrity  
U.S. Department of Education**

**in preparation for the open meeting  
February 3-4, 2011; Washington, DC**

January 18, 2011

Melissa Lewis, Executive Director  
National Advisory Committee on Institutional Quality and Integrity  
U.S. Department of Education  
1990 K Street, NW, Rm 7005  
Washington, DC 20006  
(sent by e-mail; for distribution to the Members)

Dear Members of the NACIQI,

The Association of Specialized and Professional Accreditors (ASPA) appreciates the opportunity to provide background readings for the Committee in preparation for the February 2011 open meeting. ASPA is a membership organization that provides a collaborative forum and a collective voice for the community of accreditors engaged in quality assurance of specialized and professional higher education programs, schools and in some cases single purpose institutions.

We want to take this opportunity to share with you two sets of documents – those that describe the core values and principles of ASPA and documents that have been generated to serve as quick guides to concepts and processes that are central to the accreditation process. The documents include:

- Foundational Principles in Federal Law on Accreditation and Higher Education. This paper is particularly important when considering the relationship between the federal government and independent, private sector accreditation organizations.
- The Code of Good Practice for a National Service/Oversight Organization and the ASPA – Member Code of Good Practice for accrediting bodies and for recognition bodies. These codes describe what is necessary for accreditation to work effectively, based on decades of accrediting organization experience. ASPA tests all proposals regarding accreditation to determine the extent to which they support maintaining the conditions outlined in these codes. The presence of two codes indicates that for the accreditation and recognition systems to work independently and together, the same basic philosophy and approach are needed.
- Principles for Reviewing Policy and Legislative Proposals Regarding Institutional and Specialized Accreditation.
- A set of principles for reviewing policies developed for negotiated rule-making in 2007 - Touchstone or core principles to keep in mind in writing the law. These statements and annotations address major accreditation policy issues and describe the points ASPA uses to determine the extent to which it will support specific policy, legislative, regulatory, or operational proposals and requirements.

- Guides to accreditation. These papers provide basic information about accreditation and the structure of the accreditation system:
  - Explaining the “Triad”
  - Standards, Outcomes, and Quality
  - Basic Elements of Accreditation Explained
  - Peer Review
  - The Two Basic Types of Educational Accreditation – A Comparison of Institutional and Programmatic/Specialized Accreditation

We believe these documents articulate concepts that underlie accreditation’s significant contribution to the outstanding historic achievements of American higher education. These concepts include freedom and independence for individuals, institutions, and organizations. They include intellectual freedom, respect for expertise, state and local control of education, and separations of powers, and relationships based on independence rather than centralized control.

With regard to oversight of academic matters and decisions, the American people, the higher education community, and the Congress have made it clear over and over again that they do not want USDE to act as a ministry of education, nor do they want such a ministry in the private sector. They want a separation of private and government action. The principle of separation applies to recognition of accreditors just as it applies to accreditation itself and to the separation of powers and responsibilities between entities that recognize and those that accredit.

We hope that policy proposals from the NACIQI will be consistent with the principles we have articulated. The members of ASPA’s Board of Directors and the ASPA External Recognition Issues Committee are available for further discussion on any of the documents provided.

Thank you for the opportunity to contribute to your deliberations. We look forward to a continuing active discussion about matters of mutual concern.

Sincerely,



Joseph Vibert  
Executive Director, ASPA

# Foundational Principles in Federal Law on Accreditation and Higher Education

## Introduction

Both higher education and accreditation were established and connected in a highly productive working relationship long before Congressional authorization of the US Department of Education (USDE) or its immediate predecessor agencies. As the federal government became increasingly involved in funding higher education, and as it began to use the results of accreditation, federal laws provided structures to ensure continuing adherence to certain principles. These federal laws have been updated from time to time, but basic foundational principles remain. These principles are deeply ingrained in American values. Continuing to respect and fulfill the requirements of these principles is essential to the success of higher education, accreditation, their relationship with each other, and all that this relationship means to the future capability and capacity of the United States.

## Principles

Three of the most important principles are identified and described and documented with federal statutory examples. This is followed by a short list of corollary principles.

### I. Independence

#### A. *Independence and Relationships.*

The law respects and explicitly confirms the independence of institutions of higher education, accrediting organizations, the federal government, and state government. Under the law, the relationships among these entities and the responsibilities these entities have to each other are structured to retain this independence. The law confirms a separation of powers.

When the USDE was created in 1979, Congress wrote the following statutes that are still in effect:

#### 1) In relation to the rights of local governments and educational institutions:

It is the intention of the Congress in the establishment of the Department to protect the rights of State and local governments and public and private educational institutions in the areas of educational policies and administration of programs and to strengthen and improve the control of such governments and institutions over their own educational programs and policies. The establishment of the Department of Education shall not increase the authority of the Federal Government over education or diminish the responsibility for education which is reserved to the States and the local school systems and other instrumentalities of the States.

#### 2) In relation to curriculum, administration, and personnel; library resources:

No provision of a program administered by the Secretary or by any other officer of the Department shall be construed to authorize the Secretary or any such officer to exercise any directions, supervision or control over the curriculum, program of instruction,

administration or personnel of any educational institution, school, or school system, [or] over any accrediting agency or association....

[(Pub. L. 96-88, title I, Sec 103, Oct. 17, 1979. 93 Stat. 670)]

### *B. Accreditation Agency Independence*

Consistent with the statutes just cited and previous iterations of the HEA, the HEOA of 2008 explicitly requires accrediting agency independence, especially with regard to standards setting, decisions about the accredited status of institutions and programs, and operational autonomy.

The statutory language indicates that an “agency or association [eligible to be recognized to fulfill specific federal purposes] is [or functions in a manner that is] separate and independent, both administratively and financially of any related, associated, or affiliated trade association or membership organization.”

[(Pub. L. 110-315, Subpart 2 – Accrediting Agency Recognition, Sec. 496 (a) (3), August 14, 2008)]

Separate and independent is further confirmed by four definitional requirements in Sec. 496 (b).

## **II. Academic Decisions are the Responsibility of Institutions and Accreditors**

In addition to the statutes quoted above, statutes defining the relationship between accrediting agencies and the Secretary explicitly confirm that that the Secretary must respect the decisions of institutions and accreditors in academic matters, and that the Secretary’s recognition process is not to be a means for regulating or otherwise intervening in these decisions.

Further, the Secretary is not to attempt to regulate the academic decisions of institutions by developing recognition requirements for accreditors.

The 2008 HEOA states:

Section 496 (g) Limitation on Scope of Criteria -- Nothing in this Act shall be construed to permit the Secretary to establish criteria for accrediting agencies or associations that are not required by this section. Nothing in this Act shall be construed to prohibit or limit any accrediting agency or association from adopting additional standards not provided for in this section. Nothing in this section shall be construed to permit the Secretary to establish any criteria that specifies, defines, or prescribes the standards that accrediting agencies or associations shall use to assess any institution’s success with respect to student achievement.

Section 496 (o) Regulations -- ...Notwithstanding any other provision of law, the Secretary shall not promulgate any regulation with respect to the standards of an agency or association described in subsection (a)(5).

Section 496 (p) Rule of Construction – Nothing in subsection (a)(5) shall be construed to restrict the ability of (1) an accrediting agency or association to set, with the involvement of its members, and to apply accreditation standards for or to institutions or programs that seek review by the agency or association; or (2) an institution to develop and use institutional standards to show its

success with respect to student achievement, which achievement may be considered as part of any accreditation review.

Sections 496 (o) and (p) both refer to Section 496 (a)(5). Section (a)(5) is important because it requires the Secretary to ensure that the standards for accreditation of the agency or association assesses the institution's academic programs and their results. Sections (o) and (p) make clear that Secretarial authority to ensure the presence of standards addressing various academic categories is not to be construed as the Secretarial authority to define or regulate or otherwise set accreditation standards.

The academic categories listed in (a)(5) to which the prohibitions apply are (A) success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs as established by the institution...; (B) curricula; (C) faculty; (D) facilities, equipment and supplies; (E) fiscal and administrative capacity as appropriate to specified scale of operations; (F) student support services; (G) recruiting and admissions practices, academic calendars, catalogs, publications, grading and advertising; (H) measures of program length and the objectives of the degrees or credentials offered; (I) ...student complaints...; (J) [certain institutional program responsibilities under Title IV]

### **III. Rule of Law -- Checks and Balances**

Rule of law and checks and balances principles are evident in many federal statutes regarding the relationship of the federal government to the work of accrediting organizations and institutions. The statutes require certain applications of these principles as the Secretary reviews accrediting organizations for recognition [e.g., Section 496 (n)], and as accrediting organizations review institution and programs [e.g., Section 496 (a)(6)].

As we have shown above, the statutes state the responsibilities of the Secretary, the accreditors, and the institutions in ways that define and set boundaries on authority and scope. On the federal side, the Secretary may not recognize accreditors that serve no federal purpose [Section 496 (m)]. Under this and other provisions, it is clear that USDE does not **"own"** accreditation or higher education. USDE has authority to recognize accrediting organizations under specified conditions, but no authority to authorize or license their existence.

### **IV. Corollary Principles**

The above principles and the statutes themselves support many other principles. Some of these have explicit statutory manifestations; others are more implicit. Among the most important are:

Differences in institutional purposes, missions, goals, and methods of teaching and evaluation are to be respected and valued.

Differences in disciplines and professions inform a variety of structures and approaches to higher education in various fields.

Expertise and peer review -- defined as expertise in content and conducted by experts in the field or discipline -- are essential.

Volunteerism is the basis for participation at all levels, including accreditation and the USDE recognition process.

Procedural fairness is required for purposes of trust, consistency, and effectiveness.

Reviews are to be conducted and judgments made according to published standards, criteria, and procedures.

Appropriate confidentiality is essential to the effective functioning of accreditation. This allows for communication between the accrediting body and the program/institution being accredited to allow for honest dialogue with a shared goal of educational quality and improvement if needed.

## **Conclusion**

History shows that systems of “ordered liberty” are more productive than centralized bureaucratic control. The principles outlined above are derived from historic goals for “ordered liberty.” They support oversight under a broad legal framework rather than micromanagement under regulations of ever-increasing detail and specificity. Minimizing the effect of these principles or abandoning them or failing to uphold them either in law or in regulatory applications ultimately results in losses of freedom by institutions and accreditors, especially freedom to make academic decisions. The loss of such freedom can occur almost invisibly over a long period of time, small decision by small decision, as well as through highly publicized proposals for major change.

It is troubling that many ideas disregard these principles even when they claim a basis in public good.

Creativity and flexibility cannot thrive in the absence of the principles outlined above. But, in today’s rapidly changing environment, creativity and flexibility are essential if higher education and accreditation are to meet their many new challenges and opportunities. There are multiple ways to preserve these principles and continue to build anew on the foundations they provide. Building in this way will lead to the kind of federal policy development that is needed to ensure future American achievement and productivity.

# **Code of Good Practice for a National Service/Oversight Organization**

Adopted March 1995

ASPA: Association of Specialized and Professional Accreditors

The National Service/Oversight Organization :

- 1. Pursues its mission, goals, and objectives, and conducts its operations in a trustworthy manner.**
  - Focuses primarily on assisting accrediting bodies in their efforts to assess and promote educational quality.
  - Demonstrates respect for the complex interrelationships involved in the pursuit of excellence by individual accrediting bodies.
  - Exhibits a system of checks and balances in its policy development, oversight, and recognition procedures.
  - Maintains functional and operational autonomy.
  - Avoids relationships and practices that would provoke questions about its overall objectivity and integrity.
  - Analyzes criticism carefully and responds appropriately by explaining its policies and actions and/or making changes.
  
- 2. Maximizes service, productivity, and effectiveness in its relationship with accrediting bodies and the higher education community as a whole.**
  - Recognizes that providing effective accreditation that adds value to the work of institutions and programs, not recognition or membership status in the (ORG), are the primary purposes of accrediting bodies.
  - Respects the expertise and aspirations for high achievement already present and functioning in accrediting bodies, institutions, and programs, and works to foster similar respect among the many publics of accreditation.
  - Uses its understanding of the accreditation function and the presence of local expertise and aspirations as a basis for serving accrediting bodies and the higher education community effectively.
  - Keeps any review processes as efficient and cost-effective as possible by minimizing the use of travel and reports, and by eliminating duplication of effort wherever possible.
  - Provides the accreditation community with thoughtful, diagnostic analyses that assist accreditors, institutions, or programs in finding their own approaches and solutions, and that make a clear distinction between what is required for recognition or membership and what is recommended for improvement.
  
- 3. Respects and protects the autonomy of accrediting bodies and institutions.**
  - Works with issues of autonomy in light of the commitment to mutual accountability implied by participation in accreditation activities, while at the same time, respecting the diversity of effective approaches to common goals, issues, challenges, and opportunities exhibited by accrediting bodies, institutions, and programs.
  - Applies its criteria and procedures with profound respect for the rights and responsibilities of accrediting bodies, institutions, and programs to identify, designate, and control (a) their respective missions, goals, and objectives; (b) educational and philosophical principles and methodologies used to pursue their various missions, goals, and objectives; (c) specific choices and approaches to content; (d) agendas and areas of study pursued through scholarship, research, and policy development; (e) specific personnel choices, staffing configurations, administrative structures, and other operational decisions; and (f) content, methodologies, and timing of tests, evaluations, and assessments.
  - Recognizes the ultimate authority of each accreditation and academic community for its own educational policies while maintaining fundamental criteria and fostering consideration of evolving needs and conditions in accreditation and in higher education.

- 4. Maintains a broad perspective as the basis for wise decision making.**
  - Gathers and analyzes information and ideas from multiple sources and viewpoints concerning issues important to accrediting bodies, institutions, programs, professions, publics, governments, and others concerned with the content, scope, and effectiveness of its work.
  - Uses the results of these analyses in formulating policies and procedures that promote substantive, effective accreditation, that protect the autonomy of institutions, programs, and accrediting bodies, and that encourage trust and cooperation within and among various components of the larger higher education community.
  
- 5. Focuses its oversight and recognition efforts on the principal functions of accreditation.**
  - Concentrates on results in light of missions, goals, objectives, and contexts present in the work of specific accrediting bodies.
  - Deals comprehensively with relationships and interdependencies among purposes, aspirations, operations, resources, and results.
  - Considers techniques, methods, and resources primarily in light of results achieved and functions fulfilled rather than the reverse.
  - Has criteria and review procedures that provide room for experimentation, encourage responsible innovation, and promote thoughtful evolution.
  
- 6. Exhibits integrity and professionalism in the conduct of its operations.**
  - Creates and documents its scope of authority, policies, and procedures to ensure governance and decision making under a framework of “laws not persons.”
  - Exercises professional judgment in the context of its published criteria and procedures.
  - Demonstrates continuing care with policies, procedures, and operations regarding due process, conflict of interest, confidentiality, and consistent application of policies.
  - Presents its materials and conducts its business with accuracy, skill, and sophistication sufficient to produce credibility for its role as an evaluator and promoter of accreditation effectiveness.
  - Is quick to admit errors in any part of its operation, and equally quick to rectify such errors.
  - Maintains sufficient financial, personnel, and other resources to carry out its operations effectively.
  - Provides accurate, clear, and timely information to accrediting bodies, to the higher education community, to the professions, and to the public concerning accreditation.
  - Corrects inaccurate information about itself or its actions.
  
- 7. Has mechanisms to ensure that expertise and experience in the application of its criteria, policies, procedures, and values are present in members of its volunteer bodies and staff.**
  - Maintains a thorough and effective orientation, training, and professional development program for all personnel.
  - Works with accrediting bodies to ensure that individuals involved in oversight or recognition functions represent a collection of appropriate expertise and experience.
  - Conducts evaluations of personnel that involve responses from accrediting bodies that have experienced its review processes.
  - Conducts evaluations of criteria and procedures that include responses from reviewers and those reviewed.

**Contact ASPA at:**  
www.aspa-usa.org  
(773) 857-7900

# **ASPA-Member CODE OF GOOD PRACTICE**

(Adopted March 21, 1995)

## **An accrediting organization holding membership in the Association of Specialized and Professional Accreditors (ASPA):**

### **1. Pursues its mission, goals, and objectives, and conducts its operations in a trustworthy manner.**

- Focuses primarily on educational quality, not narrow interests, or political action, or educational fashions.
- Demonstrates respect for the complex interrelationships involved in the pursuit of excellence by individual institutions or programs.
- Exhibits a system of checks and balances in its standards development and accreditation procedures.
- Maintains functional and operational autonomy.
- Avoids relationships and practices that would provoke questions about its overall objectivity and integrity.
- Analyzes criticism carefully and responds appropriately by explaining its policies and actions and/or making changes.

### **2. Maximizes service, productivity, and effectiveness in the accreditation relationship.**

- Recognizes that teaching and learning, not accredited status, are the primary purposes of institutions and programs.
- Respects the expertise and aspirations for high achievement already present and functioning in institutions and programs.
- Uses its understanding of the teaching and learning focus and the presence of local expertise and aspirations as a basis for serving effectively at individual institutions and programs.
- Keeps the accreditation process as efficient and cost-effective as possible by minimizing the use of visits and reports, and by eliminating, wherever possible, duplication of effort between accreditation and other review processes.
- Works cooperatively with other accrediting bodies to avoid conflicting standards, and to minimize duplication of effort in the preparation of accreditation materials and the conduct of on-site visits.
- Provides the institution or programs with a thoughtful diagnostic analysis that assists the institution or program in finding its own approaches and solutions, and that makes a clear distinction between what is required for accreditation and what is recommended for improvement of the institution or program.

### **3. Respects and protects institutional autonomy.**

- Works with issues of institutional autonomy in light of the commitment to mutual accountability implied by participation in accreditation, while at the same time, respecting the diversity of effective institutional and programmatic approaches to common goals, issues, challenges, and opportunities.
- Applies its standards and procedures with profound respect for the rights and responsibilities of institutions and programs to identify, designate, and control (a) their respective missions, goals, and objectives; (b) educational and philosophical principles and methodologies used to pursue functions implicit in their various missions, goals, and objectives; (c) specific choices and approaches to content; (d) agendas and areas of study pursued through scholarship, research, and policy developments; (e) specific personnel choices, staffing configurations, administrative structures, and other operational decisions; and (f) content, methodologies, and timing of tests, evaluations, and assessments.
- With respect to professional schools and programs, recognizes the ultimate authority of each academic community for its own educational policies while maintaining fundamental standards and fostering consideration of evolving needs and conditions in the profession and the communities it serves.

- 4. Maintains a broad perspective as the basis for wise decision making.**
  - Gathers and analyzes information and ideas from multiple sources and viewpoints concerning issues important to institutions, programs, professions, publics, governments, and others concerned with the content, scope, and effectiveness of its work.
  - Uses the results of these analyses in formulating policies and procedures that promote substantive, effective teaching and learning, that protect the autonomy of institutions and programs, and that encourage trust and cooperation within and among various components of the larger higher education community.
  
- 5. Focuses accreditation reviews on the development of knowledge and competence.**
  - Concentrates on results in light of specific institutional and programmatic missions, goals, objectives, and contexts.
  - Deals comprehensively with relationships and interdependencies among purposes, aspirations, curricula, operations, resources, and results.
  - Considers techniques, methods, and resources primarily in light of results achieved and functions fulfilled rather than the reverse.
  - Has standards and review procedures that provide room for experimentation, encourage responsible innovation, and promote thoughtful evolution.
  
- 6. Exhibits integrity and professionalism in the conduct of its operations.**
  - Creates and documents its scope of authority, policies, and procedures to ensure governance and decision making under a framework of “laws not persons.”
  - Exercises professional judgment in the context of its published standards and procedures.
  - Demonstrates continuing care with policies, procedures, and operations regarding due process, conflict of interest, confidentiality, and consistent application of standards.
  - Presents its materials and conducts its business with accuracy, skill, and sophistication sufficient to produce credibility for its role as an evaluator of educational quality.
  - Is quick to admit errors in any part of the evaluation process, and equally quick to rectify such errors.
  - Maintains sufficient financial, personnel, and other resources to carry out its operations effectively.
  - Provides accurate, clear, and timely information to the higher education community, to the professions, and to the public concerning standards and procedures for accreditation, and the status of accredited institutions and programs.
  - Corrects inaccurate information about itself or its actions.
  
- 7. Has mechanisms to ensure that expertise and experience in the application of its standards, procedures, and values are present in members of its visiting teams, commissions, and staff.**
  - Maintains a thorough and effective orientation, training, and professional development program for all accreditation personnel.
  - Works with institutions and programs to ensure that site teams represent a collection of expertise and experience appropriate for each specific review.
  - Conducts evaluations of personnel that involve responses from institutions and programs that have experienced the accreditation process.
  - Conducts evaluations of criteria and procedures that include responses from reviewers and those reviewed.

**PRINCIPLES FOR REVIEWING POLICY AND LEGISLATIVE PROPOSALS  
REGARDING INSTITUTIONAL AND SPECIALIZED ACCREDITATION**

**ASPA: Association of Specialized & Professional Accreditors**

**1. RESPONSIBILITY**

**PRINCIPLE:** ASPA supports proposals that respect the ability of accrediting organizations to serve multiple constituencies, that preserve accreditation responsibilities of accreditors, and that help to clarify constituency understanding about the necessity of maintaining these responsibilities within the voluntary accreditation process.

- A. Accreditation is centered in the work of accrediting bodies that have strong relationships with institutions, programs, and professions. These accrediting bodies serve a variety of functions for the public, students, higher education, the professions, governments, philanthropies, and many other constituencies. Accrediting organizations must make decisions that respect the needs and interests of all these constituencies. This may mean that not all constituencies will be in complete agreement with specific policy changes.
  
- B. Accrediting organizations are supported by institutions and professional groups. Thousands of volunteers from higher education and professional practice and accreditation staff members have built accrediting organizations and continue to develop the accreditation system in the United States. The accrediting organizations set standards, operate the process, incur the risks of evaluative engagement, and, with their institutions and programs, constitute the primary sources of innovation and development in accreditation.

## 2. FREEDOM

**PRINCIPLE:** ASPA supports proposals that preserve the freedom and autonomy of both accrediting organizations and educational institutions and programs.

- A. In concept and practice, accreditation reflects American values about freedom and responsibility. The accreditation system operates on the premise that freedom, a sense of mission, and individual initiative are the primary ingredients for success in fulfilling the multiple responsibilities held by educational institutions and programs. Accreditation supports a healthy relationship between individuals and communities at both institutional and personal levels. Its traditional goal is to establish common frameworks that enable and encourage individual differences and local responsibility.
- B. The American people have benefited tremendously from federal policies and national practices that use the results of accreditation without impinging on the autonomy of accreditors and the associated institutions, programs, and professions that rely upon them to set standards and make judgments.
- C. The dispersion of accreditation powers into regional groups, across types of institutions, and by professional specialization reflects operation of the freedom principle in accreditation itself. It also clarifies the responsibility and protects the freedom and autonomy of institutions and programs. This decentralized structure for accreditation prevents a centralization of authority that would negate many existing checks and balances.
- D. Accreditation protects the freedom of educational institutions and of disciplinary and professional programs to set mission, goals, objectives, curricula, and establish operational plans, provided that threshold standards appropriate to specific institutional types and professions are met.

### 3. HONESTY

**PRINCIPLE:** ASPA supports proposals that enable accrediting organizations to continue to pursue honesty in their relationships with their various constituencies.

- A. Accreditation is based on the evaluation of large sets of information associated with adherence to standards as well as institutional and programmatic improvement. Accrediting organizations cannot rely on or promote superficial indicators of success.
- B. Accreditation does not promote or deal in false correlations. For example, accreditation works diligently to help institutions and programs institute changes for the better in terms of their mission, and in light of multiple realities and aspirations present in each local circumstance. Accreditation does not equate change with quality, fame with achievement, or quality with the use of a particular method. Accreditation decisions are informed by quantitative measurement, but accreditors recognize the limitations of such measures. Significant reliance on professional judgment is inherent in the peer-review process of accreditation.
- C. Many factors and conditions create educational effectiveness. For example, results or outcomes relate to resources; there is no particular type of strategic plan that ensures future advancement. For each institution or program, accreditation examines and judiciously considers all of the possible factors and conditions operating at the time of a specific review and provides the most honest and comprehensive assessment of the relationship of all these factors to the meeting of standards and the advancement of quality in that institution or program.
- D. Accrediting organizations have long articulated to their constituencies what accreditation means and what it does not mean. Accreditation status means that an institution or program has a clear purpose, has met a set of published standards, and can be projected to continue to meet those standards for the designated period of accreditation.
- E. Accrediting organization statements about accreditation results are factual and structured to obviate false interpretation, manipulation, or legal challenge. Accrediting organization statements about reviews must not lead to public speculation or create opportunities for the production of false images about an institution or program.
- F. Accreditation is not centered on public relations issues or techniques. It is not the public relations arm of any institution or program, or of movements, methodologies, fads, political parties, or governmental or private sector organizations.

#### 4. EXCELLENCE

**PRINCIPLE:** ASPA supports proposals that enable the pursuit of excellence as part of the work of accrediting organizations.

- A. Accrediting organizations know that excellence comes from individual efforts and not from policies alone and that institutional and programmatic excellence comes from the combined efforts of many individuals.
- B. Accrediting organizations respect expertise and also the freedom and time that expert individuals need to produce excellent work.
- C. At higher education levels, excellence in the myriad disciplines and professions offered can be judged best by those with expertise in those areas. Through accreditation, the American people and institutions of higher education have the benefits of an evaluation system in which outstanding subject matter experts volunteer to create standards and promote quality advancement.
- D. Accrediting organizations recognize that excellence is created by the local academic community and work to protect the ability of educational institutions to make academic judgments within the context of their stated purposes. Thus, specific judgments about such issues as admission, retention, grades, transfer of credit, credential requirements, etc. must be made by individuals with the expertise and authority to make such decisions at the local level. Accreditation frameworks and guidelines must facilitate, not preempt, decisions at the local level.
- E. Accreditors understand that their primary goal is to help institutions and programs enable students to grow intellectually in the subject matters and techniques of their fields. Accreditation does not pursue power for its own sake. Accreditation is therefore not about winning, but about helping others to succeed.

## 5. EFFICIENCY AND EFFECTIVENESS

**PRINCIPLE:** ASPA supports proposals that foster trust; focus on content and results, not solely process or method; limit bureaucracy; support the spirit of volunteerism; encourage local resolution of grievances; and limit the prospect of accreditation litigation.

- A. Accreditors know that they must be trusted if they are to be effective. An atmosphere of trust increases efficiency and decreases cost.
- B. Accreditation reviews focus more on the fulfillment of functions and results outlined by standards than adherence to particular methodologies or approaches. This core value and the operational decisions that grow from it maintain strong connections between freedom and efficiency.
- C. Accreditation works to keep its bureaucracy to a minimum.
- D. Much of the work of accreditation is accomplished by volunteers, who receive little or no compensation for their services.
- E. Accreditation, through standards and operational procedures, promotes rapid mediation of differences and problem solving at local levels without the interference of third parties or the need to divert resources to public relations issues.

## 6. INTEGRITY

**PRINCIPLE:** ASPA supports proposals that preserve basic conditions for the integrity of the work of accrediting organizations; that value diverse standards and procedures; and that encourage strong relationships among accreditors, institutions, and programs. ASPA supports the responsible recognition of accrediting organizations in which accreditors maintain operational control of their work. This control must not be given to the federal government or to any other national entity.

- A. There is a strong relationship between autonomy and integrity. The decisions of accreditors are not controlled or preempted by institutions, professions, governments, or other constituencies or organizations.
- B. Accreditation judgments are apolitical, non-ideological, and comply with principles of fair business practices.
- C. Accreditation operations and judgments are based on expertise and experience, acting within published standards and procedures. The framework presented in these publications, not individual whims, rules the process and determines the results of reviews.
- D. Accrediting organizations maintain significant internal systems of checks and balances. They also volunteer to be reviewed externally, typically by governmental or non-governmental recognition agencies. Internal checks and balances ensure that no one individual or group controls all decisions and that there are recourse procedures in the case of disagreements.
- E. Accreditors maintain a direct relationship with the institutions and/or programs they accredit. There is no third party intervention in this relationship.

## 7. PUBLIC INFORMATION AND CONFIDENTIALITY

**PRINCIPLE:** ASPA supports time-tested principles and policies now in effect in the accreditation community regarding public information and confidentiality. These principles and policies require the provision of basic public information about accreditation standards and procedures and the accreditation status of institutions. Beyond these basics, current principles and policies preserve the rights of accrediting organizations and their institutions and programs to determine what should be made public and what should remain confidential. In the exercise of these rights, policies vary depending on the natures and preferences of various fields, groups of institutions, and accrediting organizations. This diversity must be maintained and protected.

- A. Public information and confidentiality both serve the public interest. Proposals at the federal or national level that would damage or destroy confidentiality in accreditation are against the public interest. Accrediting organizations must have access to sensitive information to enable a thorough review based on an in-depth understanding of the aspirations and achievements of institutions. Confidentiality encourages open and frank analyses of strengths and weaknesses and fosters wide-ranging deliberations regarding means for improvement in terms suitable for the institution.
- B. Public information and confidentiality policies at the federal or national level must not be active generators of liability or litigation which may result in increases in the costs of liability insurance for accrediting organizations. A climate of litigation is not conducive to the free exchange of ideas and information that encourages and produces excellence in education.
- C. Public information and confidentiality policies at the federal or national level must not compromise the trust base accreditation needs to be effective or enable the misuse of information gained in accreditation reviews. Accreditation cannot maintain the trust base it needs to be effective if every review is tainted in advance with the prospect that the institution or program will incur high and virtually irrevocable negative public relations or financial consequences.
- D. The public benefits greatly from policies that encourage experts in all fields to volunteer their time and talents to participate in accreditation reviews. Confidentiality protects volunteers and volunteerism. If the confidentiality principle is voided in federal or national policy, individual reviewers are far more likely to face charges of liability. One instance of litigation against a volunteer will be sufficient to destroy general willingness to participate and threatens the level of expertise that now serves institutions, programs, and the public through accreditation.

- E. Accreditation standards require institutions to publish accurate information about their programs, faculties, resources, requirements, and achievements. Published accreditation standards outline the realistic threshold requirements for degrees and other operational elements of higher education. Published lists of accredited institutions and programs provide accurate information about accreditation status. Public notice is given when accreditation is withdrawn from an institution, and the causes of withdrawal are published. For prospective students, vast amounts of information are available. Students can compare everything from curricula and costs to the published articles of professors in various disciplines in different institutions. Accrediting organizations cannot act with integrity if they join others in promoting as full truths current notions that there are a few simple quantitative indicators that will tell every student automatically which institution is best for him or her or that students will automatically make better application decisions if accreditation records are openly available. It is inappropriate to imply that the responsibility for a student's education rests solely with the institution when the work that the student is willing to do has so much to do with the result.
- F. The accreditation community is productive in part because it supports a positive climate for the development and improvement of higher education. Any policy initiatives at the federal or national level compromising the principle of confidentiality would undermine the positive climate that has been created around education.
- G. Federal or national policies affecting accreditation must preserve an appropriate balance of power between institutions and accreditors. Mandating full disclosure by law and regulation raises exponentially the kinds of public relations leverage accreditors have over institutions. Legislating such an imbalance destroys nationally the spirit and function of give-and-take necessary in the most effective analysis-based review procedures. It reduces the autonomy of institutions and treats them as targets of, rather than participants in, accreditation. It raises temptations to coerce on grounds not related to educational results. These prospects are fraught with danger for the future of both quality and freedom in higher education.

## 8. SERVICE

**PRINCIPLE:** ASPA supports policies based on broadly constructed concepts of service.

- A. The service that accreditors render to all constituencies, including the general public and students, cannot be abstracted or decoupled from the other principles outlined above. The separate and related operations of all these principles are the basis of service.
- B. Accreditors cannot participate in creating illusions about service. For example, no member of the public can know or follow all the details of the work done for his or her benefit every day.
- C. Accreditors must serve multiple constituencies with different needs in ways that do not harm the ability of accreditation to serve all constituencies. Fundamentally, there is no single “public.”

Adopted by the ASPA Board of Directors: April 4, 2005

## Four Basic Points for Testing Suggestions or Recommendations

Test every suggestion or recommendation or proposal against the following points:

1. Accreditor and institutional independence in academic decision-making. - **Strategically, this is the most critical policy position to protect throughout the entire negotiation.**
  - The law requires such independence in at least two places, and specifically in the accreditation provisions of HEOA.
  - Accreditation and higher education negotiators should watch for subtle ways in which this prohibition can be circumvented. For example, watch for language open to interpretations that might counter this principle.
2. Regulation limited to consistency with the clear text of the law.
3. Regulation addressed only to the operational practices of accreditors under the law. Recognition must not be used to regulate institutions by forcing accreditors to require institutions to address specific content, use particular methodologies, or hold certain beliefs.
4. Regulation that recognizes and supports the diversity of types of knowledge, disciplines, professions, etc. by recognizing that this content diversity also requires methodological diversity in accreditation and in education

### Five Other Test Points:

5. Regulations and reviews that are oriented toward maintaining generic public trust in the authority and decision-making responsibilities of accreditation.
6. Regulations that do not hobble the abilities of accreditors to move quickly under their procedures in difficult situations.
7. Regulations that do not produce or enhance the prospect of litigation against accreditors.
8. Cost of compliance is consistent with the benefit gained.
9. Fairness parity. Concepts behind Regulations applied to accreditors need to be evident in operations of the USDE recognition process. Goal: The USDE regulations and procedures need to be as clear and as likely to require and result in a fair process as the published operational documents of accreditors.

## What is the “Triad”

The regulation of higher education takes different forms around the world. Most countries have a “Ministry of Education,” a governmental agency that controls higher education. Consistent with American principles of governance, neither the people nor the Congress of the United States accept or use the centralized “ministry” concept. Instead, we have a three-pronged approach to “regulating” institutions of higher education. This approach features systems of checks and balances and is known as the “Triad.” The triad consists of three key entities – the federal government, state governments, and accreditation agencies.

Each of the three entities in the triad operates independently to achieve different purposes. Each has its own role in protecting potential students and assuring the success of higher education. This independence is defined and protected by laws that establish certain relationships among the elements of the triad and by the published documents of accrediting organizations. Cooperation, mutual respect, and trust among the elements are essential for maximum effectiveness.

The federal government’s role is to ensure the administrative and fiscal integrity of its funding programs. Because the federal investment in higher education has continued to increase, there is also increased concern about the effectiveness of federal oversight of these programs.

State governments generally issue licenses or other authorization to an institution to do business in the state. As might be expected, states vary considerably in the range of authority they exert over institutions of higher education. For some it is as simple as being “registered” to do business in the state while others have multiple agencies that play a role in oversight.

The third prong of the triad is accreditation, primarily a non-governmental function. The goal of accreditation is to ensure that education provided by programs and institutions of higher education meets acceptable levels of quality. In addition, through its emphasis on self evaluation and peer review, accreditation plays an important quality improvement role.

From the earliest days of our existence as a nation, there has been concern about overreaching by the federal government. The tenth amendment to the U.S. Constitution was adopted to prevent this from happening. That amendment says: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” More than just words on paper, this amendment has resulted in a higher education system that is rich in diversity and allows institutions and programs of higher education to operate autonomously and to adopt missions that are specific to their communities and their intended constituencies.

The ASPA paper entitled, “**Foundational Principles in Federal Law on Accreditation and Higher Education**” identifies the critical principles and explores the legal underpinnings of the triad. Of primary importance is that the three elements of the triad continue to operate independently, each fulfilling its roles and responsibilities. If the lines of responsibility are crossed, the system simply will not work as intended and we will risk losing the rich diversity and autonomy which has allowed our higher education system to flourish.

Accreditation video for prospective students - "Specialized & Professional Accreditation: What Should I Know?" - Go to: <http://youtu.be/2zBdyBNwwmo>

## *A Quick Reference Guide to Accreditation: Standards, Outcomes, and Quality\**

### **What is a standard?**

Accreditation standards are statements that define and set expectations about fundamental essentials for educational quality. Institutional accreditation standards are written in terms of the institution as a whole; specialized accreditation standards are written in terms of specific programs in different disciplines and professions. Accreditation standards:

- Provide a framework for more detailed work at institutional, programmatic, and individual levels;

- Address educational issues *and* operational issues associated with developing educational results and with maintaining necessary academic protocols such as overall consistency in the meaning of academic degrees and credentials;

- Reflect the consensus of experts in the field and discipline and in higher education as the basis for accreditation decisions.

### **What are outcomes?**

Outcomes are results. They may be expressed in terms such as:

- Educational achievement: development of student knowledge and skill in academic and/or professional or occupational content.

- Metric indicators: enrollment levels, graduation rates, loan repayment rates, etc.

- Procedural compliance: schedules, course sequences, rules, deadlines, etc.

- Reporting formats: charts, matrices, polls, analyses, interpretations, etc.

These four kinds of results - educational achievement, metric indicators, procedural compliance, and reporting formats - are not the same things. Although they can be related, one is not a substitute for any of the others. Knowledge of specific content is an essential part of making reliable judgments about educational results. Accreditation reviews include all four elements, but focus in-depth on student learning and achievement. Specialized accreditors focus intensively on the academic content of specific disciplines and professions based upon the standards.

### **What is quality?**

Educational quality is linked to content in terms of individual knowledge, skills, and achievement. The educational quality of institutions or programs is judged in terms of the past, current, and projected capabilities to demonstrate that its results support the educational development of its students.

Accreditation means that institutional or program quality has been judged to be at an acceptable or higher level by expert professionals in a specific field of content with experience in higher education. These experts judge the extent to which:

Published accreditation standards are being met (and can continue to be met) by the institution or program;

Elements such as curriculum, evaluation methods, faculty, resources, and admission requirements are suited to overall mission and level of program offerings and objectives;

Students enrolling, if capable and diligent in their studies, can be expected to fulfill the knowledge and skills requirements for completion of their programs;

Tests, juries, and other evaluation mechanisms are in place to support learning and ensure that graduation or completion requirements are met.

### **How are standards, outcomes, and quality related?**

Accreditation standards are statements that define and set expectations about fundamental essentials for educational quality. Outcomes or results can provide evidence that the standards have been met. Quality is the level of results.

In specialized accreditation, standards, outcomes, and quality are defined and evaluated differently depending on the unique nature, content, evaluations and methods of different disciplines and professions. For example, engineering and the arts are different, even though they are connected and influence each other. Whatever the discipline, public protection is a baseline, and the development of capable new professionals is a fundamental goal.

Standards do not mean standardization; they allow for flexibility and diversity as long as the standards are met. In this way, aspirational quality, creativity, and diversity are encouraged to flourish. The historic result has been continuous growth in the overall quality of professional education from which the public benefits.

The term “fundamental essentials” or “threshold standards” does not mean “low standards”; it means absolute requirements. Expectations stated in standards are consistent with the level, nature, and complexity of task. The absolute requirements to pass elementary school life science, high school biology, college organic chemistry, or to graduate from medical school, or to obtain board approval as a neurosurgeon are all threshold standards, but they are different. So are the thresholds for qualification as a neurosurgeon or eligibility for a Ph.D. or a national or international prize in chemistry.

All standards and laws that are actually applied to people and situations state threshold expectations. If they do not, they are not requirements or standards, but aspirations or recommendations.

The higher the level of education in a field, the higher the level of professional knowledge and skill required to make valid evaluations of educational quality and student achievement.

Accreditation video for prospective students - "Specialized & Professional Accreditation: What Should I Know?" - Go to: <http://youtu.be/2zBdyBNwwmo>

## ***A Quick Reference Guide to Accreditation: Basic Elements of Accreditation Explained\****

There are many entities involved with ensuring that the higher education system in the United States remains the best in the world. States and the federal government both play important roles – in coordination of higher education opportunities in the states and in assuring that state and federal funding for higher education is used appropriately – but the focus and expertise of accreditors is on the quality of institutions and programs. In conducting accreditation reviews, although accreditors may use different terms to explain what they do, there are steps in the process that are common to all. At the campus level, accreditation is a cyclical process. Each review takes many months. Accreditation ensures that institutions and programs are always involved in improvement of educational quality.

1 – **Evaluation request:** the institution or program makes a request to be evaluated by the applicable accrediting agency. Although for most disciplines or professions, there may be only one accreditor, in some areas there is more than one accrediting body.

2 – **Internal Review:** The institution or program formally assesses its current effectiveness including its strengths, as well as areas for potential improvement. This assessment is based on the accrediting agency's standards or criteria and the institution's or program's own specific goals that fulfill or extend compliance with agency standards. The document provided by the program or institution is often called a "self-study" or "self-evaluation."

3 – **External Review:** The accreditation agency recruits peer reviewers to analyze the self-study document and to conduct an on-site evaluation to validate issues raised in the self-study. In specialized accreditation, these peer reviewers are senior academics and practitioners in the discipline. Institutional and specialized accreditation reviewers are highly qualified for their review assignments and are intensively trained in the agency's standards and to validate both the content of and the issues raised in the self-study.

4 – **Public Comment:** Accreditation agencies receive input from the general public during accreditation activities through a variety of means, which may include third party comments, public interest panels, and/or having public members serve on review teams or on the decision-making body. Agencies also consider public comments and formal complaints about institutions or programs as part of the evaluation process.

5 – **Report:** The evaluation team and the accreditation agency present the findings of the review, which included review of the institution's self-evaluation and the on-site visit. The findings are presented in a thorough written report. As with other aspects of the

accreditation process, the written report is sent to the institution for comment and possible action prior to the final agency review.

6 – **Agency Review and Accreditation Decision**: The accreditation agency's decision-making body (e.g., Council, Commission, or Board of Directors) reviews the self study, the evaluation team's report about the institution or program, along with comments from the institution or program in response to that report to make a decision about the accreditation status of the institution or program. Decisions about accredited status include any conditions, recommendations or required reporting to which the institution or program must adhere in order to maintain accreditation status. Due process is provided to programs following the agencies procedures. As such, the results of the review are presented to the program and/or institution in writing. This letter contains the official accreditation action and at times, a separate clearly-marked section providing recommendations for improvement that are not standards compliance issues and thus may be separate from the accreditation action.

7 – **Implementation**: In cases where non-compliance with standards is found or questioned, the program and/or institution is required to demonstrate compliance within a specified time period, normally not to exceed one year. In that case, the institution/program is notified that its accredited status is in jeopardy. For example, probationary status is made public. The accrediting agency may also request reports on work in progress that has a relationship with continuing standards compliance as programs develop and grow.

8 – **Ongoing Review**: The accrediting agency reviews reports from the institution or program on a regular basis throughout the term of accreditation to ensure that the institution and its programs maintain compliance with standards and continue to improve. Reports may include annual data, substantive change notices, and interim or progress reporting. The agency reviews these reports and takes corrective action, when necessary. Complaints to the accrediting body are reviewed as part of the continuous review of the program quality.

9 – **Fair Process**: All aspects of accreditation are guided by published procedures. These procedures include systems of checks and balances, requirements for documentation of standards compliance, means for institutional response to evaluation results at various stages, and policies indicating that accreditation is based on the standards only. The goal is a "rule of law" environment for peer review that promotes accuracy, fairness and integrity for all involved.

10 – **Attention to the Public Interest**: Accreditation addresses the public's interest in being assured that institutions and programs meet professionally determined standards of academic and operational integrity and quality. Accreditation reviews address specific issues, such as the accuracy of published statements, current and projected financial viability, procedural effectiveness and fairness, and health and safety. Whenever fraudulent practices are discovered, procedures are instituted to require prompt correction. And, under provisions of the Higher Education Act, the Secretary of Education is informed immediately. An institution's or program's failure to make corrections in a timely fashion leads to revocation of accreditation.

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## *A Quick Reference Guide to Accreditation: Peer Review\**

Peer Review is a major ingredient in the incredible advance of the United States in all fields of endeavor over the past two centuries. Using peers who are experts in a field of inquiry to serve as reviewers is a tradition in academic culture. Scientific journals use peer reviewers to determine the importance and substance of articles for publication; grant agencies use peer reviewers to decide what research to fund; faculty members are promoted using peer review; and institutions review their programs using expert peers in that discipline. Applications of peer review are successful because of the expertise, commitment, and integrity of professionals interested in serving students and the public through the work of their field.

Peer review is not unique to the academic world. Peer review is also found in the concept of ethics committees and other self-governing mechanisms in the private and governmental sectors. For example, no one wants to fly in an airplane that has not been checked by expert mechanics and pilots, and no one would willingly undergo surgery from a physician whose skills had not been certified by a board of expert practitioners. When the future and livelihood of our children and family members are at stake, shouldn't we make sure that the quality of their education has also been checked by experts?

Peer review ensures that whether it's the airline industry or medical practice, that experience and expertise are used to make judgments about safety and quality. In education, peer review by experts occurs in many ways; one of the most effective is through the process called "accreditation." Peer review teams in accreditation are made up of experts in higher education and in specific subject areas, practitioners, and others who must follow well-defined and published standards, policies and procedures of the accrediting organization.

### **How does peer review in accreditation work to ensure fairness and objectivity?**

The peer review process in accreditation contains interlocking systems of checks and balances and with clear separation of responsibilities and powers. These include policies and procedures that promote objectivity in applying standards to institutions and programs. The procedures work against conflicts of interest among individuals involved in the accreditation process and those at the institutions and programs under review. Additionally, members of the public with no affiliation to the institution or program, or professional expertise in the discipline or profession participate in groups that approve standards and policies and that make accreditation decisions.

- ▶ Formal written policies and procedures are developed and used to assure objectivity and to avoid any conflicts of interest or bias among peer reviewers, decision makers, staff, and academic institutions and programs.

- ▶ The standards-setting process also contains checks and balances systems. Accreditation standards are developed in collaboration with many groups that not only include educators, practitioners of specific disciplines and members of the public, but may also include students, employers, state regulators, and others.
- ▶ Quid pro quos are specifically prohibited in published rules guiding the work of accrediting organizations. Peers, staff and public members of boards and accrediting commissions are covered by these rules. The policies are enforced mutually and compliance is monitored by the institutions, and by commissions and boards. The nature of the review process in terms of checks and balances virtually eliminates any opportunity for collusion. Staff has a special opportunity to ensure that rules are kept.
- ▶ Accreditation peer reviewers are thoroughly educated and trained in the accrediting organization's standards and procedures. Briefings and advanced training are expected, especially for those visiting institutions.
- ▶ Peer reviewers are generally volunteers who are normally not paid anything for their work, and if they are, the payment is small, far below usual academic consulting fees. Reviewers spend significant personal time to read and evaluate extensive documentation, visit institutions, and cooperate with other peer visitors to produce a report. They volunteer to fulfill professional responsibility to higher education in general or to the development of expertise in their specific field.
- ▶ Most specialized accreditation peer reviewers undergo extensive training in the processes and procedures of accreditation in their specific discipline.

Peer review is essential to producing evaluations that are trusted by experts in the same field. The more advanced the level of work in any field, the more this is true. There are many different disciplines and professions. Without its basis in peer review, accreditation would have no credibility in the academy or the professions. In this regard, expert knowledge, skill, and judgment matters.

\*This is the third of four ASPA Briefing Papers on Accreditation. All four are posted on the ASPA website - [www.aspa-usa.org](http://www.aspa-usa.org).

Accreditation video for prospective students - "Specialized & Professional Accreditation: What Should I Know?" - Go to: <http://youtu.be/2zBdyBNwwmo>

## *A Quick Reference Guide to Accreditation:*

### *The Two Basic Types of Educational Accreditation – A Comparison of Institutional and Programmatic/Specialized Accreditation\**

	<b>Institutional Accreditation</b>	<b>Programmatic Accreditation</b>
<i>Type of accrediting body</i>	<p>Regional accreditors</p> <p>National accreditors</p> <p>(Some) specialized accreditors, typically free-standing institutions (e.g. Nursing, Rabbinical)</p>	<p>Specialized accreditors</p>
<i>Unit of analysis</i>	<p>Institution as a whole. The review provides an analysis of how the parts of the institution contribute to the achievement of the institution's objectives. The review addresses academic and organizational structures, systems, and expectations on an institution-wide basis.</p>	<p>Specialized or programmatic accreditation generally applies disciplinary and professional standards to a unit smaller than the whole institution, such as programs, departments, or schools that are subsets of an institution. The accredited unit may be as large as a college or school within a university or as small as a program within a specific discipline or professional field. Thus, this includes accreditation of programs required for professional licensure (e.g., dentistry, physical therapy) as well as specialized focused studies (e.g., music, art)</p> <p>Many specialized or programmatic units are within an institution of higher education that is accredited by a regional or national institutional accrediting commission. But some specialized accreditors may also accredit free-standing single-purpose professional schools or institutions.</p>

<i>Primary focus is on:</i>	Broad overview indicators of quality that can be used across multiple disciplines and degree levels. These include such issues as the overall capacity of institution; general educational quality and educational foundations; and general metrics that may include indices of graduation and attrition.	Depth of quality assurance – discipline-specific. Specialized accrediting bodies focus on measures of student learning or competence that are fundamental to the discipline. The manner used to assess and review student learning is consistent with the specific discipline. Specialized accrediting bodies may also include general performance indicators similar to those of institutional accreditors.
<i>Standards are:</i>	Institution-wide that have been developed in consultations with multiple constituencies	In-depth for a focused area of study that have been developed in consultation with experts in the specific field and with other constituencies
<i>Reviewers are:</i>	Primarily academics who represent the breadth of education at the levels provided by the institution and experts in institutional management	A mix of practitioners and academics who represent peers (i.e., those with expert knowledge) in the specialized area being reviewed
<i>Review ensures that:</i>	Key structural elements and financial sustainability of the institution support the mission and that required institutional policies and procedures are in place	The program(s) of study meet(s) content standards and has adequate, qualified faculty and other resources which enable the program to meet the discipline-specific accreditation standards in a way that is consistent with the mission of the larger institution.  Defers to institutional accreditors for broader institutional concerns, as well as policies and procedures that extend beyond the specific program of study to impact the whole institution.
<i>Adverse actions:</i>	(Against the institution) Are tracked and monitored by the programmatic accrediting bodies that accredit programs within the institution.	(Against a program) Are reviewed as information by the institutional accrediting body that accredits the institution as a whole.

### **Recognition of Accrediting Bodies:**

Institutional and specialized/programmatic accrediting bodies that provide links to federal funding are eligible for recognition by the USDE. Accrediting bodies seeking USDE recognition need to identify whether or not their accreditation is required for access to Title IV or other federal funds (a function commonly referred to as being a gatekeeper). Most institutional accrediting bodies are Title IV gatekeepers. Accrediting bodies that accredit at the institutional or programmatic level may serve as gatekeepers for other federal funds. Accrediting bodies not functioning in a gatekeeper role or that are not linked to funded federal programs are not eligible for USDE recognition.

\*This is the fourth of four ASPA Briefing Papers on Accreditation. All four are posted on the ASPA website - [www.aspa-usa.org](http://www.aspa-usa.org).

STATEMENT OF SUSAN K. HATTAN  
NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES  
FEBRUARY 3, 2011

On behalf of the National Association of Independent Colleges and Universities (NAICU), which represents nearly 1,000 private, non-profit institutions of higher education, I want to share a few thoughts about the issues members of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) will consider in making recommendations to the Secretary of Education with respect to the reauthorization of the Higher Education Act. Accreditation is an issue that our association has followed closely since our founding in 1976 because we see its effective operation as the key to maintaining excellence and diversity in American higher education.

Before getting started, I would like to extend greetings to the panel from NAICU's president, Dr. David Warren—along with his regrets that he was unable to join you today.

As you know, the accreditation process is a private one that long pre-dates the enactment of the Higher Education Act. It was devised as a means by which institutions could engage in peer review and self study in order to maintain and expand the quality of their educational offerings.

Accreditation is a uniquely American institution. In most other nations, quality reviews are generally conducted by centralized governmental authorities. The tradition of institutional autonomy in the United States called for a different approach. It is an approach that has proven highly successful over the years. It has allowed a diversity of institutions to flourish and has helped make American higher education the standard for the world.

The private-public partnership between the accreditation process and the federal government began over 50 years ago with the enactment of the "Veterans' Readjustment Assistance Act of 1952" (commonly known as the GI Bill). That act required the U.S. Commissioner of Education to publish a list of accrediting agencies and associations that he regarded as reliable authorities as to the quality of training offered by an educational institution. This requirement was subsequently restated in other federal education laws, including the Higher Education Act (HEA) of 1965.

Federal reliance on accreditation in determining the quality of institutional offerings was further formalized in the 1992 amendments to the Higher Education Act as part of a broader effort to articulate the respective roles of States (consumer protection), accreditors (quality), and the Department of Education (program integrity and administrative capacity) in the so-called "triad." This basic division of responsibility remains sound in concept but requires careful delineation of roles to operate successfully. The failure, for example, to limit the scope of State Postsecondary Review Entities (SPREs) to consumer protection activities led to the repeal of this portion of the 1992 amendments.

Likewise, the 2008 amendments to the HEA included provisions restricting the ability of the Secretary of Education to regulate the review of student achievement standards—

leaving in place the mission-based review of institutions by accreditors. This action, along with provisions restructuring NACIQI, was taken due to concern that the federal government was inappropriately interfering in academic decisions.

Clearly defining roles and maintaining an appropriate balance among the entities that have a role in maintaining public confidence in higher education is a challenging task, but it can be accomplished. And it is important to do so—not only to preserve the autonomy of higher education but also to permit accreditors and others to focus on what they do best.

In preparing recommendations, members of NACIQI are reviewing a broad range of topics. I thought that what the committee might find most useful from my presentation is a sense of what the NAICU perspective has been on several of these issues—specifically as they relate to legislative proposals.

I also want to express our interest in helping members of the committee think through the promises and pitfalls of new approaches to the relationships among institutions, accreditors, and the federal government. Our mutual goal is to assure that the quality of higher education in the United States remains high and that the public can have confidence in our institutions.

***Student Learning Outcomes.*** One of the questions posed in the document framing this policy forum is whether or not there should be a “set ‘standard’ for student achievement.” This was a central question in the debate leading up to the 2008 reauthorization, and the response was a resounding “no.” That remains NAICU’s position today.

The concerns we have about a standardized measure of student achievement were articulated well in a May 2007 white paper developed by six major higher education associations, including NAICU, in response to proposed accreditation regulations. A copy of the full document is attached to my statement, but I would like to highlight this passage:

Accreditation is likely to move from being an open and collegial activity designed to foster continuous improvement based on the academic goals and mission of each institution to a closed/adversarial process aimed at ensuring campuses are complying with externally imposed mandates. Accreditation has worked well because it is a nongovernmental, peer-based process that helps institutions achieve their unique educational missions. Under the new regulations, the emphasis will inevitably shift toward ensuring that schools have met a complex array of rigid standards. Indeed, we fear that under the current proposals, accreditors may become a regulatory arm of the federal governments. If this happens, the impact—a loss of confidence and trust in accreditors’ ability to assess institutions on the basis of their educational mission—will be considerable.

***Role of the Federal Government:*** Protecting student aid programs from fraud and abuse is the direct responsibility of the federal government. This responsibility should not be relegated to the accreditation process, which is neither an authority on Title IV

administration nor regular enough to monitor institutional activities. It might be worthwhile if the committee's recommendations to the Secretary not only spelled out what you might think appropriate for accreditation, but also things that are not and that might better be handled by the Department as part of its enforcement activities.

***Relationship between States and Accreditation:*** NAICU has some unique issues and concerns with respect to the question of the relationship between accreditation and state authorities. Our member institutions are, by their very nature as private, non-profit institutions, not under the direct control of State governments. They should not be placed indirectly under such control through the accreditation process.

***Public reporting.*** The extent to which accreditation findings should be made public is a topic that has long been debated. It is NAICU's view that general disclosures of accreditation findings will substantially change the nature of the accreditation process and undermine the frankness and candor that help make the process successful. We are aware that many in the higher education community do not share this view—so I'd like to take this opportunity to explain our position in more detail.

The NAICU membership includes many small institutions that have shown amazing resiliency in delivering quality education against long odds. Vulnerable institutions are very concerned about the disclosure of negative findings that are part of an overall positive review. Inevitably, negative information from a review will be reported out of context. This type of publicity can spell life or death for these schools, if a misconstrued article ends up in the local press and even a relatively small number of students decide not to enroll as a result. In most of these cases legitimate problems can be--and historically have been--worked through (i.e. often these institutions are "flagged" over financial issues). The alternative for the accrediting agency is not to be as "tough" on the school in the internal reports—something that is not a good public policy outcome either.

Ultimately, the test of any new disclosure requirements should be their usefulness to students and parents. It is unlikely they will seek to read summaries of findings at institutions that do not have significant quality issues. In amending the Higher Education Act, Congress did not adopt a requirement that such findings be disclosed. They chose, instead, to limit disclosures of findings to adverse actions, namely: instances involving final denial, withdrawal, suspension, or termination of accreditation. NAICU did not object to that change in the law.

To the extent that the committee wishes to increase public understanding of the accreditation process itself, we stand ready to help find ways to increase that understanding in ways that will not undercut the frank exchanges that are critical to continued improvement.

***Consumer Information:*** In addition, I would note that NAICU has encouraged institutions to share information of interest to students and parents through our University and College Accountability Network, or UCAN initiatives. In a two-page format, an institution's UCAN profile provides information such as graduation and retention rates, tuition and fee

histories, and average class sizes. In addition, there are approximately two dozen individual links that go directly to information about items such as the institution's graduates, campus crime reports, and accreditation. The data elements included were based on what focus groups of parents and students indicated they wanted to know about an institution. The links were added to assure that the distinctive offerings of our diverse institutional membership could be readily found. This effort has been positively received because it makes basic information easily accessible while providing the opportunity for a more in-depth look at institution-specific offerings.

As I said at the outset, our system of accreditation has allowed the emergence of diverse and high-quality higher education options for our nation's students. Just as accreditation itself is designed to push institutions towards higher levels of performance through periodic review, it is useful for all of us involved with it to examine how accreditation and our use of it can be put to best effect.

The committee has laid out an ambitious set of questions to consider in undertaking just such a review. NAICU has long-held views on several of these items, which I felt was important to outline for you today. We will continue to follow the committee's work and hope there will be opportunities to work collaboratively on approaches that will preserve the historic strengths of voluntary peer review, while responding effectively to challenges and changes within the higher education environment.

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#### *About NAICU*

The National Association of Independent Colleges and Universities (NAICU) serves as the unified national voice of independent higher education. Since 1976, the association has represented private colleges and universities on policy issues with the federal government, such as those affecting student aid, taxation, and government regulation.

With nearly 1,000 members nationwide, NAICU reflects the diversity of private, nonprofit higher education in the United States. Members include traditional liberal arts colleges, major research universities, church- and faith-related institutions, historically black colleges and universities, women's colleges, performing and visual arts institutions, two-year colleges, and schools of law, medicine, engineering, business, and other professions. NAICU is committed to celebrating and protecting this diversity of the nation's private colleges and universities.

#### *Susan K. Hattan*

Susan K. Hattan is a member of the Government Relations staff of the National Association of Independent Colleges and Universities (NAICU), where she is responsible for policy development and oversight on accountability matters. Prior to joining the NAICU staff, she had a 27-year career in the U.S. Senate, where she served on the staff of Sen. Nancy Landon Kassebaum (R-Kan.) for 18 years. Hattan was staff director of the Senate Labor and Human Resources Committee during Kassebaum's tenure as chair. When Kassebaum retired in 1997, Hattan became deputy staff director for Sen. Jim Jeffords (I-Vt.). During her tenure on Capitol Hill, she was involved with a broad range of domestic policy issues and related legislation—including the 1992 and 1998 reauthorizations of the Higher Education Act. Hattan is a graduate of Washburn University (Topeka, Kan.), and holds a master's degree from The American University (D.C.).

## **Department of Education Considering Significant Steps to Increase Federal Control Over Accreditation**

The Department of Education is developing new regulations that would give the government unprecedented control over accrediting agencies and institutions of higher education. We believe their plans would compromise the ability of colleges and universities to set and pursue their educational missions and would impose new federal mandates related to core academic matters.

The Department's plans have become more subtle and nuanced over time. But the agency has never abandoned its desire to impose more uniformity across institutions, increase reliance on standardized measurement, and enhance federal oversight of academic matters. While the development of the regulations will continue for several more months, we fear the final outcome will be unsatisfactory for most colleges. We encourage you to:

- familiarize yourself with the matters under consideration and the stakes for your institution,
- participate in the regulatory process when the Department asks for public comment, and
- discuss your specific concerns with your elected federal officials.

Questions of access, accountability and transparency are vitally important and should be addressed by accreditors and institutions. In fact, many such efforts are already underway and higher education has an impressive story to tell. But the current effort has minimized the concerns of colleges and universities. Moreover, these same topics are being considered in great detail as part of the reauthorization of the Higher Education Act. As a result, we do not believe it is appropriate or desirable for the Department of Education to fundamentally change the relationship among accreditors, institutions and the federal government in this fashion or at this time.

**Accreditation and federal student aid** – In order for students to receive federal student aid, an institution of higher education must be approved by an accrediting agency recognized by the Secretary of Education. By relying on accreditors, the federal government assures itself of the quality of institutions without directly regulating academic affairs. However, given the importance of accreditation to student aid, any federal requirements imposed on accreditors will quickly affect what happens on campuses. Indeed, we believe that the changes under consideration would inevitably have a deleterious effect on the academic programs of many institutions.

We have four central concerns with the regulatory package in its current form.

1) The proposed regulations would drive higher education toward a one-size fits all model of academic quality that emphasizes rigid indicators of academic performance. All institutions would be required to have performance indicators that are accepted by their accrediting agencies. Moreover, accreditors must collect data to ensure that campuses meet fixed, inflexible standards for all programs, including liberal arts. For any “pre-baccalaureate” vocational program or any other program that leads to licensure or certification (e.g. law, medicine or teaching), accrediting agencies would be required to approve expected levels of performance—that includes completion,

job placement, and pass rates on examinations. For some community colleges and universities, such a requirement could easily mean 80 to 100 different sets of standards. Institutions that have multiple accreditors must repeat this process for each accrediting agency. Inevitably, this mandate will drive all institutions toward easily measurable outcomes. In the end, we think these simple quantitative measurements will prove undesirable, inappropriate and unworkable.

2) The Department of Education will assume a much greater role in dictating academic policies. The Department of Education's plans would, without statutory authority, limit the ability of colleges to establish their transfer of credit policies. The Department believes that they can do this because they have limited authority to address admissions practices such as recruiting and advertising. Admissions and transfer are separate, distinct activities: decisions about the former are made by the admissions office before enrollment. Transfer of credit actions are based on academic considerations and are made by academic departments, usually after enrollment. If the federal government can declare that transfer of credit is an admissions issue, we fear that a future administration will be emboldened to make similarly ill-considered decisions that further extend government control over institutions' academic affairs.

3) The regulations are vague in critically important areas, leaving the Department free to interpret them as they choose. The regulations under consideration are, in key areas, vague and make liberal use of undefined terms. To cite one example, the agency calls for the use of "external indicators" to measure student achievement. The meaning of this term is not self-evident and the Department has described it in many different ways. It could, of course, mean a standardized test. Given this ambiguity, the Department of Education will have carte blanche to impose its own definition of this and other terms.

4) Accreditation is likely to move from being an open and collegial activity designed to foster continuous improvement based on the academic goals and mission of each institution to a closed / adversarial process aimed at ensuring campuses are complying with externally imposed mandates. Accreditation has worked well because it is a nongovernmental, peer-based process that helps institutions achieve their unique educational missions. Under the new regulations, the emphasis will inevitably shift toward ensuring that schools have met a complex array of rigid standards. Indeed, we fear that under the current proposals, accreditors may become a regulatory arm of the federal government. If this happens, the impact—a loss of confidence and trust in accreditors' ability to assess institutions on the basis of their educational mission—will be considerable.

**Process for revising the regulations is flawed.** Our concerns about the proposed regulations are magnified because key elements of higher education have been excluded from the discussions. For example, registrars—who are central to the transfer of academic credit—were not included. Community colleges and private, four-year liberal arts colleges—which enroll 60 percent of all students and represent 60 percent of all colleges and universities—also were missing. Nor were students asked to participate.

In June, the Department of Education will publish their proposed regulations in the *Federal Register* and interested parties will be encouraged to comment. The Department will publish

final regulations by November 2007. At the appropriate time, we will encourage you comment on the regulations. At present, we encourage you to consider three actions.

First, assess what these regulations will likely mean for your campus. You can find the current proposals at <http://www.ed.gov/policy/highered/reg/heardmaking/2007/accred.html>.

Second, the Department of Education plans to hold a series of regional summits across the country in the next few weeks to discuss accreditation and other higher education issues. If such a meeting is being held near your campus, we encourage you to attend and offer comments. We have appended the dates and times of the meetings.

Finally, we urge you to discuss this issue with your elected officials. To help you do so, we have attached a set of talking points that you may find helpful. We have also included (below) links to news stories about the process and the issues involved.

We believe that it would be a serious mistake for the Department of Education to implement these regulations and we will do everything we can to call attention to the negative impact that they will have on America's diverse array of colleges and universities. We appreciate your assistance in this effort.

This document was prepared by the American Council on Education (ACE), the Association of American Universities (AAU), the American Association of Community Colleges (AACC), the American Association of State Colleges and Universities (AASCU), the National Association of Independent Colleges and Universities (NAICU), and the National Association of State Universities and Land Grant Colleges (NASULGC).

May 4, 2007

## Links to News Articles and Other Background Materials

### News Articles

- **Dissent and A Disputed Phone Call**  
*Inside Higher Ed* (April 27, 2007)  
<http://insidehighered.com/news/2007/04/27/accredit>
- **Heading for Disagreement**  
*Inside Higher Ed* (April 25, 2007)  
<http://www.insidehighered.com/news/2007/04/25/accredit>
- **Accreditors and Education Department at Impasse After 2<sup>nd</sup> Negotiating Round**  
*The Chronicle of Higher Education* (March 29, 2007)  
<http://chronicle.com/daily/2007/03/2007032901n.htm>
- **Explaining the Accreditation Debate**  
*Inside Higher Ed* (March 29, 2007)  
<http://www.insidehighered.com/news/2007/03/29/accredit>
- **Drawing a Hard Line**  
*Inside Higher Ed* (March 28, 2007)  
<http://insidehighered.com/news/2007/03/28/accredit>
- **When Is Student Learning ‘Good Enough’?**  
*Inside Higher Ed* (Feb. 23, 2007)  
<http://www.insidehighered.com/news/2007/02/23/accredit>
- **Can You Say NACIQI**  
*Inside Higher Ed* (December 5, 2006)  
<http://insidehighered.com/news/2006/12/05/naciqi>
- **The Heat is Turned Up**  
*Inside Higher Ed* (December 6, 2006)  
<http://insidehighered.com/news/2006/12/06/aale>
- **Consensus (or Not) About Comparability**  
*Inside Higher Ed* (Nov. 30, 2006)  
<http://www.insidehighered.com/news/2006/11/30/accredit>

### Other Materials

#### Board of Directors Resolution

Council for Higher Education Accreditation (May 1, 2007)

[http://www.chea.org/pdf/CHEA\\_Board\\_of\\_Directors\\_Resolution.pdf](http://www.chea.org/pdf/CHEA_Board_of_Directors_Resolution.pdf)



**Statement on Accreditation  
to the  
National Advisory Committee on Institutional Quality and Integrity  
By  
Muriel A. Howard, Ph.D.  
President, American Association of State Colleges & Universities**

Thank you for the opportunity to submit my comments on accreditation. I hope they will be useful to the National Advisory Committee on Institutional Quality and Integrity as it reviews and deliberates this issue of national importance.

**The historic role of accreditation**

The American system of accreditation was created as a non-governmental, collaborative, peer system of accountability. It was designed to assure a minimum level of quality and to encourage institutional self-improvement. Its focus rightfully should be on accountability, transparency, and consumer protection.

American accreditation also resembles the nation's historic dispersion of political power, reflecting core ideals of federalism and individual autonomy. Accreditation serves as one part of a three-legged stool – accreditation, state government, and federal government. Accreditation determines that the institution meets minimum standards of quality, the state government sanctions its ability to operate, and the federal government determines whether the institution is eligible to receive federal funds.

While accreditation serves to ensure a level of quality education at an institution of higher education, it is not attempting to distinguish or define the quality. Accreditation serves to determine that the elements for delivering a quality education are in place at an institution. It does not distinguish whether the education at one institution, such as Southeast Missouri State University, is of better or lesser quality than the education offered at another university such as Northern Kentucky University or CSU Northridge.

I am very proud of the role that AASCU and its sister organization APLU have played in facilitating accountability, transparency, and consumer protection among our own institutions with the development of the Voluntary System of Accountability, which now involves 326 public institutions. Accreditors can and should rely on institutionally-determined and

implemented outcomes measures to evaluate quality assurance and improvement at the institution.

I believe that the system of accreditation that we have created over the years has in the main done an excellent job of assuring quality while preserving diversity and creativity. However, this series of hearings reflects the need for all of us to consider accreditation in the rapidly changing context of the 21<sup>st</sup> century.

AASCU believes:

**1. The voluntary system of accreditation is substantially better than a process designed and carried out by a governmental agency.**

Our belief in the need to preserve a non-governmental system doesn't grow out of a defensive, self-protective reaction but instead emerges from a careful study of accountability systems around the world. Most countries employ a government-organized system of accreditation. Most of those systems promote uniformity and adherence to a single set of standards, while repressing innovation and new models.

**2. Having said that, however, the American system needs to develop some new approaches to address areas of current concern.**

The historic process of accreditation has focused largely on inputs. I believe that we must focus substantially greater attention on outcomes. In particular, I believe that we must pay greater attention to learning outcomes for our students. Those outcomes must be broad, not narrow. How well are institutions preparing students for work in a global economy? How well are institutions preparing students for living in a diverse, multicultural world? How well are institutions preparing students to become informed and engaged citizens in our great democracy? How well are institutions preparing graduates to think critically and analyze thoughtfully? The accrediting community, to its credit, began to address learning outcomes, beginning in the mid-1980s. But that focus on learning outcomes, for far too long, was toothless. The focus on learning outcomes must be accelerated and substantially improved.

A second concern is cost. The cost in both financial and human resources is enormous. Are there ways that cost could be reduced without jeopardy to the accreditation process?

A third concern involves the practice of purchasing an institution and simultaneously accreditation, even though the faculty, curriculum, and mission of the institution is substantially changed or eliminated.

A fourth concern involves developing better mechanisms to account for rapid changes in delivery systems, program design, and instructional practices. Technology continues to alter the ways that institutions carry out their basic educational purposes. We need to ensure that accreditation processes are as nimble as the rapidly-changing educational landscape it monitors. Some regional accreditors, to their credit, have created processes (Academic Quality

Improvement Project [AQIP] and Quality Enhancement Plan [QEP]) to allow institutions to focus on new approaches but more such development is needed.

A fifth concern is that the current process allows groups of institutions to gather together for self-accreditation. There is always a tension in the self-regulatory process between high community standards and self-interest. Usually, self-interest is addressed by having the community diverse enough that any single institution's self-interest is subsumed by the community's collective interest. But if a select group of institutions, all similar in their self-interest, are allowed to become their own accreditors, the self-interest of individual institutions becomes paramount. That should not be allowed to happen.

### **3. The accreditation process should not be confused with the Department of Education's responsibility to determine institutional Title IV eligibility.**

The federal government now invests more than \$150 billion in financial aid programs. It is appropriate that the federal government wants to have some accountability for that vast annual expenditure. And it is also appropriate that accreditation be used as one measure of eligibility for receiving federal funds. At times, the federal government has placed requirements on accreditors to ensure that taxpayer's interests are best served. Some of these requirements make sense and they are usually reviewed through a traditional accreditation process.

However, many of these requirements are legislative mandates on the Department that have been inappropriately transferred to the responsibility of the accreditors. The Department needs to move away from its reliance on accreditors as enforcers. Perhaps a model can be put in place in which accreditors merely inform the Department of their decisions, whereafter the Department engages the institution before making a decision regarding Title IV aid. The Department of Education's reliance on accreditors for enforcement has led to a diffusion of the appropriate role for institutional accreditors and has fostered an environment where the Department does not do an adequate job of enforcing its own rules.

The diversity of accreditors has diffused, rather than focused, appropriate federal concern about accreditation. There are regional, national, program and career-specific accreditors. NACIQI should focus its attention on recognition of institutional accreditors as part of the Title IV eligibility considerations and should question whether regional and national institutional accreditors should be treated differently. AASCU recommends exploration of the concept of a "tiered or developmental" approach to accreditor recognition as well as disseminating the best practices of those agencies known to be historically stable and clearly in compliance with all government recognition criteria. We think NACIQI should choose to leave program and career-specific accreditation issues to the states.

Accreditors need to shift the focus of their accreditation reviews from process and input specific criteria to a greater concern about student and learning outcomes. They need to consider institutional reports of learning outcomes such as those to be reported as part of the Voluntary System of Accountability. Institutional accreditors, not the federal government nor the individual institutions, should establish minimum standards for student and learning outcomes and should recognize institutional achievements beyond meeting those minimum standards.

If the focus does shift from over-reliance on input standards, then Department of Education regulations also need to shift, because they too are overly process and input specific. The Department will need to relax its expectations of accreditor enforcement of its requirements and rely on its own resources for enforcement. It is appropriate for accreditors to assist the Department with the protection of the taxpayer in the vein of serving the public interest, but only on those levels that are appropriate to the quality of education and an institution's ability to offer that education.

One of the initial purposes of accreditation was to help ensure confidence in the quality of an institution's offerings; the accreditor's role for providing consumer information should be expanded to meet new and changing demands from consumers for reliable and relevant information about the quality and outcomes of the academic offerings of institutions. The quickly evolving state databases that share common elements for accountability should be considered as a source of such information that might readily be incorporated into an institution's pre-accreditation visit self-study. We also believe this means an increasing reliance upon and distribution of consumer useful data following an accreditation review.

Finally, AASCU challenges NACIQI to set a goal of having the public, states, congress, parents and students better understand the accreditation process and its necessity. The goal should be aimed at helping them know what it is and what it does for students, institutions and the public.



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**Statement to the  
National Advisory Committee on Institutional Quality and Integrity**  
*Panel: Perspectives of the Beneficiaries of Quality in Higher Education*

**Christine M. Keller, Ph.D.**  
Executive Director, Voluntary System of Accountability  
Director of Research and Policy Analysis,  
Association of Public and Land-grant Universities

February 3, 2011

Thank you for the opportunity to share my perspective on accreditation and quality in my role as executive director of the Voluntary System of Accountability.

As context for my remarks, the Voluntary System of Accountability (VSA) is an initiative by public four-year institutions to provide clear, accessible and comparable information on the undergraduate experience through a common web report – the College Portrait.

The VSA/College Portrait has two primary purposes: 1) to serve as a college search tool for prospective students and 2) to provide a mechanism for public institutions to demonstrate accountability and transparency particularly in the areas of access, cost, student progress and student outcomes.

Over 325 institutions currently participate in the VSA – representing more than 60 percent of public colleges and universities and enrolling two-thirds of the undergraduate students attending public institutions.

The VSA was created in 2007 by the Association of Public and Land-grant Universities (APLU) and the American Association of State Colleges and Universities (AASCU) as a collective response by public universities to calls by some for the federal government and/or accrediting bodies to mandate the type of data and metrics that must be used to demonstrate institutional affordability, quality and accountability. Our associations and member institutions believe strongly the control should be left in the hands of the academic community to ensure the continued diversity, independence and flexibility of U.S. public higher education.

The design of the VSA was led by 80 university representatives from 70 diverse institutions. The selection of the individual data elements, in particular, the specifications for the reporting of student learning outcomes involved a great deal of negotiation and give and take with the larger academic community over a nine month period. We are proud of the willingness of so many public university leaders to step up and commit to greater transparency in reporting student outcomes even in the face of uncertain results and unanswered questions.

The VSA includes standard descriptive information on students and institutions, but also includes four innovative measures of note:

- 1) Net Price Calculator to assist students and families in estimating their out-of-pocket costs to attend a particular institution,
- 2) Student Engagement Activities – a snapshot to highlight opportunities on campus for prospective students as well as an indirect measure of student learning/development,
- 3) Student Success and Progress Rate - shows aggregate student enrollment and completion data across all the institutions a cohort of students may attend,
- 4) Student Learning Gains which measures and reports student learning gains (value-added) in a common way to allow benchmarking and comparison across institutions.

As a coordinated response to legitimate needs for better and more transparent information on the undergraduate education experience and outcomes, the VSA remains flexible enough to adapt to the dynamic circumstances and environments in which higher education operates as well as the variety and changing needs of stakeholders for different types of information.

From our perspective, one of the positive aspects of the current accreditation structure is the ability for institutions to set their own goals for institutional improvement and student learning as well as the accountability metrics based on mission and the environment in which they operate. Such a stance allows initiatives such as the VSA to flourish and respond to the needs of higher education stakeholders as well as the institutions themselves.

The VSA and its sponsoring associations support efforts by accreditors and regulators to include a range of different measures of student success outcomes and assessment of student learning and development within accreditation based on the institution's mission and student population rather than a singular focus on inputs or resources.

As more institutions report the full complement of data elements within the VSA, we expect more widespread recognition by regional accrediting associations of legitimate accountability efforts like the VSA as noteworthy and significant contributors to learning outcomes assessment that can drive institutional improvement. Such recognition has not been as forthcoming as we would like given the tremendous effort that institutions and our associations have put forth in the VSA's development and maintenance.

The VSA is now fully funded through participation dues and association contributions and we want to ensure that participants receive sufficient value for their investment.

We also emphasize the need for a thorough examination of the multiple and often disparate reporting requirements that typically result from each HEA re-authorization. Significant amounts of data are already available for use by consumers and other interested parties. Additional requirements for more data with varying and non-standard definitions increase the burden on institutions with minimal value to consumers. If the VSA and other efforts were more widely recognized as mechanisms to respond to data needs it would help decrease the burden (and cost) to institutions – particularly in these times of fiscal constraint.

Thank you again for opportunity to participate. I look forward to further dialogue with NACIQI and the Department.

PANEL PARTICIPATION

*Perspectives on Federal and State Interests  
On Institutional Accreditation and Quality Assurance  
In American Higher Education*

For

National Advisory Committee on Institutional Quality and Integrity

February 3, 2011

Comments by: David A. Longanecker  
President, Western Interstate Commission  
for Higher Education

## The Dilemmas of Modern Institutional Accreditation as a Quality Assurance Framework From the State & Federal Perspective.

### **The First Dilemma: Validity**

Accreditation today faces issues with both **content validity** and **face validity**.

With respect to content validity, accreditation faces three issues.

First, it remains focused primarily on process, rather than desired outcomes as the appropriate measure of quality. While measures of some desired outcomes, such as student learning, have been introduced into the accreditation process, the bulk of the process remains focused on process factors. Virtually every corrective action recommended in accreditation deals with process factors such as governance, finances, curriculum, academic support, or student support; not with student learning or other outcome factors. And, even though consideration of student learning outcomes are now required by virtually all accrediting bodies, the metrics used to measure student learning are not required to be externally validated nor are explicit achievements in student learning required of the institutions being accredited.

Second, the pass/fail nature of accreditation, with virtually all institutions “passing” provides little evidence of the relative success or lack thereof of institutions, at least in the public domain.

Third, the nature of the accreditation teams, composed almost entirely of people from within the academy and of people with relatively modest training for conducting the accreditation visits raises issues of both the adequacy and potential conflict of interest in the reviews.

With respect to face/external validity, accreditation faces two quite contradictory dilemmas.

On the one hand, for some consumers of accreditation – prospective students, their families, businesses hiring college graduates, and some states – accreditation is perceived as the “gold seal of approval” and connotes a level of institutional quality that simply may not be legitimate.

On the other hand, for some other consumers of accreditation – many state and federal governmental bodies, businesses looking for true measures of quality, discerning prospective students and their families, and often critics within higher education – knowledge of the issues around content validity and the lack of transparency raise issues about the efficacy of accreditation as a legitimate form of quality assurance.

Confounding these disparate perceptions of accreditation as higher education’s form of quality assurance, institutions of higher education often like it both ways. We often argue that accreditation’s real “reason for being” isn’t external validation, but rather self-improvement, which requires the institutionally owned (self-study) and non-public disclosure elements of modern accreditation. Yet, many institutions also are quick to use this imprimatur of quality as an indication of their legitimacy, often

contending for example that they share the same accreditation status as the most elite institutions in the country.

### **Second Dilemma: Transparency**

Modern accreditation is an essentially private process, with the final determination of whether to grant accreditation made public, but none of the individual findings within the accreditation review made public unless an institution chooses to make such results public. This lack of transparency of the results of the process creates at least three dilemmas.

First, it makes suspect the efficacy of the process. In the past, there was, without doubt, much greater trust in processes like accreditation. It was generally accepted that members of the academy were both trustworthy to act with the highest integrity and were the most qualified to judge the quality of academic institutions. With the advent of a stronger focus on public accountability, particularly in public institutions (both educational and otherwise) public policy and public accountability have taken on a much more evidence based nature, requiring more proof and less trust. The lack of transparency in higher education accreditation not only fails to provide this expected level of evidence, but erodes the traditional level of trust that existed between the public and higher education.

Second, the pass/fail nature of accreditation (with some variations, but not much) fails to meet the test of modern quality assurances schemes. We are all familiar with Consumer Reports quarter, half, three-quarter, and full moons, providing the

consumer with an assessment of the quality of products, based on demonstrated performance.

Accreditation lacks this useful consumer information. To some extent other new forms of accountability, such as the voluntary system of accountability (VSA) and transparency by design (TBD) have begun to provide rudimentary evidence of “differences”, but in general American higher education has resisted such efforts, contending that our differences are one of the essential strengths of our efforts. That argument, however, sounds a bit self-serving in the modern era. After all, higher education compares itself on issues of quality in other arenas. We do so in intercollegiate athletics, doing so in ways that preserve and celebrate our differences. And, we do so in our associations, with institutions comfortably self selecting groups of other institutions with whom to be associated.

It makes no sense for an institution with a 12 percent graduation rate to have the same accreditation status as Stanford University with a 98 percent completion rate.

### **Third Dilemma: Cost**

Good quality assurance costs a fair bit to provide. And, accreditation is no exception.

The current self-study approach to accreditation, for example, costs institutions quite a bit because of the substantial amount of time and effort required to conduct the self-study. The accrediting community has accommodated this substantial expense by requiring such reviews only every few years – generally seven to ten years. Not only does this process cost institutions substantial resources, it also costs the accrediting agencies a substantial amount, which they defray by using volunteer services of members of the peer review teams from within the academic community. The result, however, is a process that relies on volunteered activities in great part, and thus has little professional evaluation expertise, simply because it would be cost prohibitive to pay for such a cadre of oversight professionals. Interestingly, it is not too expensive in intercollegiate athletics, where the NCAA provides such professional oversight, but it is in our core business.

So, our dilemma is that accreditation is both too expensive and not expensive enough.

### **The Solution**

So what is the solution to a system that appears to be validity challenged, non-transparent, and either too expensive or not expensive enough.

Well, the answer is not to abandon accreditation, nor is it to have accreditation revert to serving one or the other of its dual roles of institutional self-improvement and public quality assurance.

Accreditation certainly has its flaws, but it is too valuable to lose and I

believe it is possible to change it in ways in which it can be more efficacious in both areas.

With respect to the institutional self-improvement process, I believe it is a pretty good system as is. I'm quite impressed with the changes that the Northwest Commission has adopted, which moves this more to a continuous improvement model, rather than the ten year plan. It will be important to follow the development of this plan, however, to assure that it maintains a focus on change and improvement in a cohesive strategic way, and not in ad hoc incremental steps. Measuring outcomes remains one area that continues to need more focus. This is true both for student learning and also with respect to other critical missions of the institutions, such as research. These measures need to assure greater externally validated content validity, and institutions need to be held to achieving improvement toward their goals.

With respect to the public quality assurance process, I believe that this should be separated from the self-improvement process, done more frequently (no less than every three years) and be focused on fully transparent metrics that examine critical outcomes, including student learning, completion rates and numbers, and successful transition of former students to the next step in their life. Furthermore, these metrics should provide information that allows external customers of this quality assurance process to know the difference between exceptional performing institutions (in comparison to their peers), average performing institutions (in comparison to their peers), below average but OK performing institutions (in comparison to their peers), and abysmal performing institutions.

In sum, the dilemma with modern accreditation is that it isn't modern. The solution is not to abandon it but to change it into a contemporary approach to quality assurance. And, we can do it. We already do it within our community for non-core activities; surely we can do it for our core business.

## **SHEEO Testimony to NACIQI**

**February 3, 2011**

Good morning and thank you for the opportunity to address the committee. I'm Hans L'Orange, Vice President at the State Higher Education Executive Officers (SHEEO). SHEEO is the nonprofit, national association of the chief executives of statewide governing boards and coordinating boards for postsecondary education. Our members have varying levels of responsibility for more than 1,500 public institutions; given the more than 10 million students enrolled in these institutions (70% of the total postsecondary enrollment in the United States), our members are very concerned with and involved in the questions before the committee today.

I'd like to begin with three core policy areas that are critical to framing any discussion on the direction of higher education in the coming years.

First, both global economic competition and providing essential individual opportunity require that we expand successful postsecondary participation and completion.

Second, higher education needs to be accountable, and to do this we need to examine closely what higher education as a whole is accountable for and where accountability policies will be the most effective.

Third, interwoven with these two core issues are questions of rising costs, resource limitations, and essential investments. Higher education is on a price curve that is not sustainable, and we cannot expand participation while maintaining quality without more cost-consciousness and cost-effectiveness.

These three interrelated and complex policy issues are at the heart of any discussion of recognition, accreditation and student aid eligibility. We all have roles to play in addressing these core policy areas and I'd like to share the SHEEO perspective on some of those roles.

1. States, along with the Federal Government, have an obvious and direct interest in the operation and integrity of Federal Title IV Programs. These federal programs are one of the primary means for expanding and broadening student access to higher education. Within states, Title IV Programs combine with public institution funding, tuition policies, and state or institutionally funded financial aid to encourage students to enroll in institutions and complete higher education programs within the jurisdiction of each state.

2. Federal policies should continue to acknowledge the many ways through which states already monitor and ensure the legal, financial, and educational integrity of programs and institutions operating within their jurisdiction. It is important to remember that states have differing structures, policies, and processes for these purposes, including institutional licensing or approval to operate, periodic program review or approval processes, financial review and other fiduciary roles relative to public institutions, and laws to provide consumer protection or prosecute fraud. Regardless of these differences however, states are the direct owners and operators of the significant share of postsecondary education represented by public colleges and universities. They take very seriously their proprietary interest as well as their interest in educational outcomes and improved quality of life within the state.

3. State roles in program review and approval, financial review, and consumer protection complement—rather than replicate or substitute for—the roles played by accreditors. A 2009 paper by Alan Contreras, Administrator of the Oregon Office of Degree Authorization, outlines the legal history and basis for state actions (including colonial or state “charters”) that license or otherwise authorize institutions to grant degrees. It is this official state action that distinguishes “legitimate” degrees from those granted by degree or diploma mills. Both accreditors and states perform functions that help to maintain the integrity of academic programs and institutions where students may receive Title IV funds. (This paper is available at <http://www.sheeo.org/licensing/license-home.htm>.)

4. States have a direct interest in the effectiveness of the broader quality assurance “triad,” to which the Federal Government, voluntary accreditation, and states all contribute. To function well and meet public needs for quality assurance, the three legs of the triad must work in concert rather than in competition. This requires mutual recognition and understanding of their respective roles, which in turn requires open channels of communication, greater public transparency, and more frequent collaboration. It is too much to expect the accreditors, the states or the federal government alone to bear the full burden of strengthening the quality of American higher education. Collaborative partnerships and open communication are needed to navigate through these tricky issues, make the nuanced judgments and take the thoughtful actions required to improve educational effectiveness. Federal roles should help promote and strengthen the collaborations between the triad partners.

5. The Federal Government needs to take into account the effects its decisions can have on the other partners in the quality assurance triad, and the potential for impacting education quality and policies at the state level. As an example, changing existing consumer information guidelines or adopting FTC guidelines for one or more types of education providers will impact state consumer protection functions. Given the national interest in standards for high school graduation, increasing completion rates, and expanding postsecondary access and completion, the unintended as well as intended consequences of Federal Title IV guidelines need careful coordination with related state efforts.

6. The expansion of on-line and multi-site postsecondary programs provided by non-profit and for-profit institutions operating nationally and internationally is a particular challenge to states’ jurisdictional responsibilities. Rapidly changing technologies and educational delivery modes also suggest the need for some rethinking of the related roles of the Federal Government and accreditors. From the state perspective, the primary challenge is to maintain an appropriate balance between enhancing access to such programs for its students and residents, on the one hand, while continuing to provide

consumer protection and exercising essential fiduciary roles for its institutions, on the other hand.

7. This national marketplace for postsecondary education is likely to continue to expand, driven by public needs as well as the expansion of national providers. With these developments, it appears unavoidable that institutional participation in Title IV programs must require some action by states to license or otherwise authorize institutions wishing to offer postsecondary programs in each state. This is essential given the duties and responsibilities of states to their students and residents, and in light of their roles in promoting access and quality in higher education. Some additional clarification of state roles is appropriate, including the requirement for positive state action to authorize institutions after determining their ability to meet minimum standards. Through appropriate guidelines, states could also be encouraged to distinguish between authorizing institutions to grant degrees under their jurisdiction, and providing access to degree programs when authorized by another state.

Through such means, and respecting the principles outlined above, the essential structure of the quality assurance triad involving distinct but mutually supportive roles of the Federal Government, states, and voluntary accreditation can and should be strengthened. We share the same goals and SHEEO appreciates the opportunity to be part of this conversation.