

May 26, 2011

Susan D. Phillips
Provost and Vice President for Academic Affairs
State University of New York at Albany
Albany, NY 12222

Dear Chairman Phillips,

This letter responds to your request for comments regarding the *regulatory burden* and *data needs* imposed by accreditation requirements for institutions of higher education. We are grateful for the opportunity to comment upon these burdens, because in recent years they have escalated dramatically and without justification.

At Princeton, where our next decennial reaccreditation is more than two years away, we are currently recruiting a new full-time Assistant Dean of the College to meet the demands of the accreditation process. The Assistant Dean will work roughly half-time on accreditation. The remainder of the Assistant Dean's time will be devoted to tasks now performed by the Deputy Dean of the College, who will use the liberated time to lead Princeton's reaccreditation effort. Although the Deputy Dean and the newly hired Assistant Dean will have principal responsibility for the reaccreditation project, Princeton expects that many other cabinet-level and sub-cabinet officials will have to dedicate substantial fractions of their time to reaccreditation. These officials include the Dean of the College, the Dean of the Graduate School, the Vice Provost for Academic Programs, the Vice Provost for Institutional Research, the Budget Director and Associate Provost for Finance, the Registrar, and the Associate Registrar for Reporting and Institutional Research. We anticipate that the President, the Provost, and multiple faculty members and committees will also have to spend substantial amounts of time on the effort.

The total cost of this work will undoubtedly be high. Indeed, the experiences of our peers provide some startling benchmarks by which to forecast the ultimate price tag:

- Stanford University calculates that in 2009-10 it expended \$849,000 for the portions of staff time that were formally dedicated to its reaccreditation effort. Stanford's estimate does not include travel expenses or the time of faculty members and others participating in the project; Stanford estimates that the all-in cost would exceed \$1 million for the year. The estimate, moreover, is for only a single year: Stanford has been working on achieving reaccreditation for four years and has two more remaining.

- Cornell University describes its most recent reaccreditation effort as a 2.5 year project that required substantial work from seventy-five people, including forty staff members, twenty-two faculty members, five trustees, and eight students. Cornell expended more than \$300,000 in addition to the salaries of the staff members who worked on the project.
- Vanderbilt University estimates that its College of Arts and Sciences devotes 5000+ hours to accreditation-related work annually and that its School of Engineering devotes 6250-8000 hours of work to such efforts annually; these are baseline workloads, and Vanderbilt notes that they are even higher in years when reports are due.
- Duke University reports that it incurred roughly \$1.5 million in costs, mostly for faculty and staff time, in the last two years of its most recent decennial review. In addition, Duke now spends more than \$500,000 annually to comply with the accreditor's ongoing demands pertaining to academic assessment and related matters.
- The University of Michigan incurred direct costs of more than \$1 million over a four-year period in connection with its accreditation review in 2010. Michigan estimates its indirect costs for the review at more than \$300,000, a number that still does not include the time of faculty and staff across the University who provided information and other assistance to its reaccreditation team. The \$1.3 million total of direct and indirect costs is roughly four times greater than what Michigan spent on its previous accreditation review.

These burdens are huge by any standard but they become even more disturbing when supplemented by two other observations. The first is that Stanford, Cornell, Vanderbilt, Duke, Michigan, and Princeton are universally recognized as leading universities in the world. Students from throughout America and around the globe covet the opportunity to study at these places, and professors from around the world covet the opportunity to teach and conduct research there. We agree that all universities must participate in periodic accreditation proceedings, but the system is broken if it takes multiple years, and millions of dollars, to verify that Stanford, Cornell, Vanderbilt, Duke, Michigan, or Princeton should be recognized as an accredited provider of higher education.

The second observation is that all this work provides little educational benefit. Investments must be judged against their return, and the staggering expenditures required by the reaccreditation process would be more tolerable if they produced valuable improvements in educational quality. Reaccreditation reviews, if tailored to and informed by appropriate educational judgment, can provide institutions with valuable feedback: Princeton, for example, has benefited from the advice it received from peer review teams during past reaccreditation processes. Unfortunately, however, the increasing burdens that plague the reaccreditation system today have no such compensating virtues. On the contrary, they arise because accreditors are increasingly substituting pointless data collection demands for informed peer judgment.

Princeton witnessed a striking illustration of this trend in connection with its recent mid-term review. The external evaluators who analyzed Princeton's Periodic Review Report on behalf of the Middle States Commission on Higher Education described the University's assessment plan, which relies heavily on peer review, as appropriate to the University's mission. The evaluators—Provost Tom Apple from the University of Delaware and Provost Mark Kamlet from Carnegie Mellon University—went on to characterize Princeton's assessment efforts as “impressive.” The Commission, however, ignored the judgment of its own peer review team and requested a “progress letter ... documenting comprehensive, integrated, and sustained processes to assess institutional effectiveness and student learning outcomes” Princeton's academic leadership then met with a delegation from the Commission to try to understand this surprising decision. During the meeting, President Shirley Tilghman asked what Princeton should be doing in addition to the work that the Commission's own reviewers regarded so favorably. One commissioner responded by praising another university which, he said, had filled an entire room with black three-ring binders stuffed with documents. Remarkably, the commissioner said nothing about the content of the binders. What matters most to him, apparently, is simply the volume of data collected. Peer judgment is out, bureaucratic data collection is in, and the resulting burden is severe.

We believe, as President Shirley Tilghman said in her letter of January 14, 2011, that the roots of these problems are structural: a regional system of accreditation, in which geographically-defined agencies try to design standards that apply to vastly different kinds of higher education institutions, no longer serves this country well. Whether or not our diagnosis is correct, it has become distressingly obvious that the burdens imposed by the current system are impairing education and driving up its cost rather than improving it. We are grateful to NACIQI for its willingness to examine this problem and encourage creative solutions to it.

Sincerely,

Christopher L. Eisgruber



ASSOCIATION OF AMERICAN UNIVERSITIES

The Association of American Universities (AAU) submits the following comments for the June 2011 National Advisory Committee on Institutional Quality and Integrity (NACIQI) Meeting, per the solicitation issued in an April 26th Federal Register notice.

As a follow-up to our comments provided in February 2011, the Association of American Universities (AAU) appreciates the opportunity to provide additional input to the newly reconstituted NACIQI and its policy subcommittee at the onset of these important discussions on the future of accreditation, particularly as the committee works to meet its December 2011 deadline to provide recommendations to the Secretary of Education on the 2013 reauthorization of the Higher Education Opportunity Act (HEOA). For the purposes of this submission, the association will focus its comments broadly on the first issue, “regulatory needs and data burden,” outlined in the April Federal Register notice, while emphasizing that all of the issues including the triad of roles and responsibilities of federal, state, and accreditor entities, and accreditor scope, alignment, and accountability are interrelated.

The AAU recognizes the importance of NACIQI in advising the Secretary of Education on accreditation-related issues and believes that the renewal of the advisory committee presents the Department of Education, Congress, and the higher education community with an opportunity to address issues related to the quality and effectiveness of accrediting organizations. As stated in AAU’s February comments, the system of regional accreditation has played a critical role for more than a century in providing assurances of threshold levels of academic quality and in facilitating quality improvements. However, the nature of accreditation has changed dramatically in recent years as our system of higher education has become much more diverse. Most

participants at the February NACIQI meeting agreed that the current system of accreditation is flawed because of the often incompatible goals of accreditation as a Title IV gatekeeper and vehicle for quality improvement. AAU agrees with the assertion made by several participants at the February NACIQI meeting that we should further discuss structural reforms to the current regional accreditation system, including—among others—de-coupling fiscal eligibility from accreditation and its academic quality role, effectively basing eligibility decisions on financial considerations and other non-academic quality factors currently in law, while the academic quality—process of continuous improvement and threshold academic standards—would be assigned to accreditors and institutions.

Indeed, the key strength of accreditation is its reliance on peer review and candid assessments of institutional and program quality by individuals who are engaged in higher education. To work effectively, the system must rely on a site-visit team comprised of the necessary balance of faculty and administrators from *peer* institutions. Unfortunately, many AAU institutions report that this is not the case. The current model of assuring institutional quality has made the American system of higher education the most creative and diverse in the world. We hope that the new NACIQI and the broader higher education community will seek ways to improve this model further, while also strengthening the integrity of the federal Title IV student aid enterprise.

Regulatory Burden and Data Needs

AAU believes that it is very important to avoid drifting into a system in which the cost of data collection and reporting requirements outstrip their benefits. One of the areas of inquiry that gained the most support from the committee members at the February meeting was reducing regulatory burden on colleges and accreditors, which requires clarifying the roles and responsibilities of all parties involved in the accreditation process. Congress and regulators alike are asking accrediting agencies to do things that they were never intended to do, such as making sure that colleges do not de-fraud students. The NACIQI should take a comprehensive look at what is currently being asked of accrediting agencies and institutions (of all sectors), rather than piling on additional regulations on top of existing regulations in a way that will add to the burden and cost and not contribute to our overall goal of improving the quality of our higher education system.

As a result of the increased regulatory and data burdens, we now see an increasing cost-benefit disparity that calls into question whether or not the current accreditation system is sustainable, much less effective. Unless we are able to streamline and eliminate regulatory burden and reassess the demand for the adoption of metrics that purport to quantify student learning outcomes in ways that are not meaningful or may be inconsistent with the educational missions of many of the nation's strongest colleges and universities, we risk damaging the nation's leading institutions at the same time not necessarily curbing fraud and abuse among other institutions. Informal surveys of our institutions show that accreditation reviews require a substantial time investment by a large number of people, including senior administrators and faculty who have to be engaged to respond to a number of detailed operational and compliance-related questions from regional accreditors. This in turn results in a ballooning monetary commitment. The perception from some is that the institutions could obtain the necessary data and insights for a fraction of the established costs that—on average—begin at \$1 million for the first year of a three- to six-year process. But because the consequences of not gaining re-accreditation can be significant, even if the odds seem remote, staff often find themselves over-preparing the case for compliance. Informal estimates from institutions are varied: one large public university estimates that the total cost of its 2010 review totaled \$1.3 million (\$1 million in direct costs, including hiring senior faculty, and \$300,000 in indirect costs), which represents a 250% increase above the estimated costs in 2000, while a smaller public university estimates that its most recent 2006 review cost roughly \$2 million, with most of the costs stemming from senior administrator and faculty time, as well as that of institutional research and information technology officials. The indirect impact of taking faculty out of his or her department (and away from their critical mission of education and research) for often up to two years carries consequences for students, staff, and other faculty in the department.

After all the time and effort invested by faculty in the accreditation review, the process is often still flawed as the site-team visits are not comprised of peers from comparable institutions. Additionally, some members report that participation on a team has become unappealing because of the heavy regulatory and compliance focus, which has undoubtedly resulted from increased regulations over the years. A growing tendency of some of the regional staff is to exhibit undue influence over site-team reports, or even to override team reports in a handful of cases, a

powerful disincentive for participation. Some have suggested that regional accreditation staff should not be members of the review teams, as it will not only reduce costs but also reduce their influence on team member recommendations and commission decisions. For this reason alone, some of the regional accreditors are considering new models of accreditation review designed to decrease the burden of the re-accreditation review, particularly for those institutions with an established record of success (a tiered approach to review). NACIQI should explore the extent to which federal regulations and guidance on accreditation may be causing or contributing to the overreach by regional accreditation staff in their accreditation activities. The overall goal should be to develop models of accreditation review that simultaneously decrease the burden imposed on institutions while meeting accountability goals.

Related to regulatory burden is the issue of data needed to assess “continuous improvement” at an institution in meeting set student learning outcomes. It is increasingly clear that there has been a shift in the past two decennial reviews from the assessment of inputs to the evaluation of outputs, which is a step in the right direction for the future of higher education. But the definition of continuous improvement has moved from a broad assessment of steps the college or university is taking according to its mission, to a narrow focus on quantitative measures of student learning defined by Department of Education staff and agency staff rather than the institution. This narrow focus may make sense in some circumstances, but it is potentially damaging to the quality of some of the nation’s best colleges and universities. While measuring outcomes is important, these measurements should not take the place of nuanced and institution-specific initiatives aimed at achieving continuous improvement or used to impose a least-common denominator approach. As stated in our principles, it is clear that applying a one-size-fits-all set of standards, data requirements, and review procedures regardless of type, size, and mission of an institution is not an effective model for accreditation.

Given that most constituents are interested in strengthening the existing culture of assessment, NACIQI should explore the extent to which current regulations or the over-interpretation of such regulations are contributing to the regional accreditors’ demand for increasingly prescriptive, narrow outcome measures. Currently, the federal government is prohibited from regulating student achievement standards, but in practice many are concerned that institutions are being

required to conform to a common set of standards that risk damaging the diversity of approaches that has benefited American students in the past. While the federal government has a clear role in ensuring that federal student aid is used appropriately, current law also clearly states that it should not have a role in setting academic standards. As such, the HEOA stipulates that accreditors must have standards that “assess success with respect to student achievement in relation to the institution’s mission.” Many institutions are reporting that this is not, in fact, what is happening in reality as accreditors are overreaching on (what some would say are unclear) regulations. Accreditors are pushing institutions to adopt quantitative, value-added general assessments of student achievement. General assessment tools such as the Collegiate Learning Assessment (CLA) (a focal point during the February meeting) do not work for all institutions and, more importantly, will not necessarily advance our goals of improving student outcomes. Institutions report that it is difficult and often not useful to define a single set of student outcomes that works for each program within the institution, much less across other institutions in different sectors of higher education. NACIQI should explore ways in which regional accreditors can help to ensure that institutions are able to develop meaningful assessment tools that evaluate student achievement according to their own mission and student body, at the same time that many institutions are open and interested in thinking through a range of measures to gauge student achievement.

Again, AAU appreciates the opportunity to provide input and looks forward to ongoing discussions with NACIQI and the Department of Education on the future of accreditation.

STANFORD
UNIVERSITY



JOHN W. ETCHEMENDY
Provost

May 24, 2011

(Sent via email: aslrecordsmanager@ed.gov)

Susan D. Phillips
Provost and Vice President for Academic Affairs
State University of New York at Albany

Written Comments Re: Issue #1 Accreditor Scope, Alignment and Accountability;
Issue #3 Regulatory Burden and Data Needs

Dear Chairman Phillips,

Thank you for allowing us the opportunity to comment on the reauthorization of the Higher Education Act with specific reference to the issue of accreditation. We are responding to your request for comment on the scope of accreditation agencies.

We believe that it is our responsibility to demonstrate our ability to provide a quality education in return for federal aid monies. We, like all universities, hold a public trust that requires us to be accountable and responsive to reasonable requests for information. However, in the last decade the compliance requirements have become increasingly onerous for all of us engaged in post-secondary education. The regulations that have been handed down by the Department of Education and interpreted by the regional accreditors have gone far beyond demonstrating the capacity of an institution to provide a quality education for our students. In large part this is because these regulations are set forth as uniformly applicable to small colleges, large public and private research universities, professional post-graduate schools and for-profit operations. One size does not fit all and the regional accreditors vary in their ability to develop a flexible process that accommodates such differences. We would like to comment on the cost and utility of the current process focusing on outcomes, and call for a return to a review focused on an institution's capacity and ability to deliver a high quality education.

We have been engaged in our reaccreditation project for more than four years and have approximately two more years until we are finished. Hopefully that will result in a renewal for ten years. If the process remains as it is today, five years into it we will begin again to work on the next review. We are hopeful that our own regional association, WASC, has realized the problems this process has created. With three submissions and two visits, it is hard to find peer reviewers willing to be part of the process because of the duration of the review. The time and money spent internally – hundreds of thousands of dollars of staff and faculty time – could

Office of the Provost

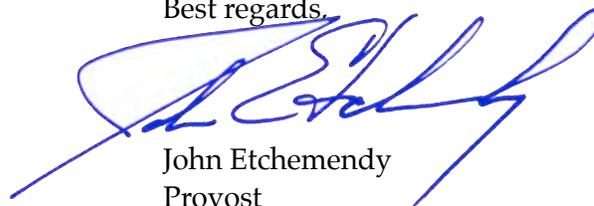
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have been better spent on improving education, teaching or advising students. In one count a few years ago, we determined that the cost of staff time devoted to the accreditation process in that year alone was nearly \$849,000. Furthermore, this figure only describes staff and faculty whose effort is partially allocated to the process, and does not account for the time and effort of more than fifty faculty and staff who are working on the accreditation review in less formal roles. Thus the true expense is far greater on an annual basis and the opportunity cost is incalculable.

Non-profit institutions, unlike for-profits, invest all tuition dollars and other resources to support our educational mission by paying faculty, buying materials and equipment for our libraries and laboratories, and building academic facilities. In pursuing our academic goals, we constantly seek to improve the education and resources for our students and faculty. It is this striving for excellence that has made U.S. higher education the envy of the world. As I said earlier, we do not question the importance of demonstrating that we are worthy of recognition from the federal government in the form of student financial aid. But we believe it would be better to return to a process in which we demonstrate our capacity to provide an education by objective measures such as the financial health of the institution, the ratio of full time faculty to students, library resources and physical plant, as well as clear governance processes and operating procedures.

Ultimately, accreditation is no substitute for public opinion and market forces as a guide to the value of the education we offer. Stanford has worked for more than a century to cultivate and maintain the excellence of the education we provide. We are not compelled by the need to satisfy regulators, but rather by the high standards to which we hold ourselves. We have confidence that the majority of colleges and universities are similarly motivated to serve their students to the best of their abilities, and that over time their reputations will be determined by the extent to which they succeed or fail. Higher education in the U.S. is unique in the extent to which it is exposed to market forces and competition. We believe that the role of accreditors should be to identify those few institutions that are not operating with integrity or basic competence, and to let the large majority of institutions focus their resources on serving their students, rather than on a bureaucratic process of questionable value.

Best regards,



John Etchemendy
Provost

From: Jones Jr., James F. [James.Jones@trincoll.edu]
Sent: Tuesday, May 24, 2011 1:35 PM
To: aslrecordsmanager
Subject: "Written Comments re: Issue Number (list Issue Number(s) from above issue description regarding the reauthorization of the HEA

I write in enthusiastic and complete support of the documents prepared by the eminent Shirley Tilghman, my colleague and friend and the president of Princeton University. She has articulated as well as any of us could possibly have done the essence of the present situation, which should be corrected if American higher education is to continue to serve the future of this country. Please do not hesitate to contact me should there be any questions.

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January 14, 2011

Susan D. Phillips
Provost and Vice President for Academic Affairs
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Dear Chairman Phillips,

I am writing in response to your request, as Chair of the subcommittee of the National Advisory Committee on Institutional Quality that has been charged with developing a set of legislative recommendations for the 2013 renewal of the Higher Education Act, for comments on the current system of accreditation of institutions of higher education. I am delighted to have this opportunity to respond, as I believe there are aspects of the current system that are in need of reform.

Before responding to the specific questions in the charge to the committee, I would like to offer several general observations about the sector of the U.S. higher education system that I understand best: research universities. First, the United States currently is *the* world leader in higher education, whether measured by international rankings such as those provided by the U.K.'s Times Higher Education World University Rankings or Shanghai Jiao Tong University's Academic Ranking of World Universities, or by the choices that students around the globe make each year about where to pursue their studies. Our higher education system at its best is among America's most globally competitive enterprises and comprises a set of institutions that are admired around the world. As the members of the subcommittee consider ways that the accreditation process can be used to improve the overall quality of the education available to post-secondary students, I urge them to adopt a "do no harm" approach to a sector of our society that contributes so significantly to American competitiveness.

Second, the nation's research universities have dual missions: to educate young men and women for careers and lives where they are able to contribute meaningfully to society *and* to push back the frontiers of knowledge, thereby serving as powerful economic engines. With their focus on fostering innovation and entrepreneurship among young scientists and scholars, U.S. universities are credited with generating a significant fraction of the gain in economic prosperity that this country has enjoyed in recent years, through the founding of new industries such as biotechnology and e-commerce. In the face of increasingly intense international competition for students and ideas, it is imperative that the nation preserve and even enhance the strengths of those institutions that are national and international in scope and that engage in teaching and research at the highest levels of quality.

To turn to the first question of the charge, "**How well does our current accreditation/recognition system protect the interests of the taxpayer who is underwriting that investment in education?**", I would answer, "Not well enough." Accreditation historically has been intended to serve two purposes: (1) to insure that institutions eligible for federal

financial aid meet basic threshold standards of quality; and (2) to encourage institutional self-improvement through periodic external peer review. The most important of those goals, in my view, is the first one. Taxpayers deserve to know that students directly, and society indirectly, are being well served by the institutions that they support through student loans and grants. Yet two of the most effective ways of measuring educational effectiveness—graduation rates and career outcomes—are significantly undervalued in the current standards by which institutions are judged for accreditation. Instead, over the last decade there has emerged an over emphasis on collecting voluminous amounts of information on “student learning outcomes” that are not tied in any way to whether students graduate and are prepared to be useful members of society. With the current focus on quantification of learning outcomes, I fear that the real *point of higher education* is being lost.

One of the great strengths of American higher education is the diversity of its institutions. They vary in size, mission, degree of state support, and in many other ways. Some draw their students largely from their local communities or regions, while others are more national or even international in scope. This diversity has the great benefit of providing points of entry into higher education for students of very different talents and interests, but it has exposed structural flaws in the current accreditation system, which was founded on geographical, rather than sector criteria. While geography may have been a useful organizing principle for accreditation at a time when travel across the country was time-consuming and expensive, and may even now make sense for institutions that are largely local or regional in nature, there are many institutions for which it does not make sense. By having each of the six regional agencies oversee everything from small local community colleges to large research-intensive universities that draw their students and faculty from throughout the world, the current system creates incentives to adopt standards and review processes that either are so generic as to be meaningless in any specific context, or that are so focused on one context that they are meaningless, or even damaging, in other contexts.

Developing a more flexible and nuanced approach to accreditation has become increasingly important as the nature of education has changed. Students now engage in independent study, in learning programs that reach outside the classroom, and in international study—initiatives that are helping to prepare students for the new global economy and for lives in which they will need to continually cope with the discovery of new knowledge and the development of new technologies. As such programs continue to expand and evolve, it is even more likely that a “one-size-fits-all” approach to accreditation will constrain innovation, creativity, and improvement, even among institutions with a proven record of excellence in teaching and research.

So in answer to the second of the questions in your charge, “**If we were starting now, would we design this system?**”, my answer would be a resounding “No!”

“**How might a system we would design differ from what currently exists?**” I would argue strongly for a sector-specific national system that would allow each agency to develop standards that are relevant to its sector, and thereby be able to compare apples to apples. Understanding that the devil will be in the details, I would suggest starting with relatively broad categories, such as research-intensive universities, liberal arts colleges, for-profit technical education, and 2-year

community colleges. Freed from having to serve such broad constituencies, these more targeted agencies could then work with research universities and colleges that competitively draw students both nationally and internationally to set threshold standards that are significantly *more demanding* than apply now within the regionally-based agencies, such as high graduation rates, excellent placement records, demonstrated alumni satisfaction over time and outreach to students from diverse backgrounds. Institutions that meet these higher threshold standards should be judged to have met the first purpose of accreditation (assurance that they meet agreed-upon threshold standards of quality), so that the time and dollars they devote to the accreditation process can be focused instead on accreditation's second purpose: strengthening the institution's pursuit of its mission through measures that are appropriate to its particular circumstances, while not requiring the institutions to engage in practices that detract from it.

That raises a second aspect of the current accreditation system that is badly in need of reform—the enormous administrative and financial burden it places upon faculty and staff at a time when resources are either flat or declining. In their quest for one-size-fits-all measures of performance and learning, accreditation agencies have come to demand volumes of paperwork and bureaucratic reporting, much of it untied in any constructive way to the educational mission of the institutions that they are evaluating. There is evidence that the cost of going through an accreditation review has been escalating at an alarming rate. It is becoming common for institutions to report that the cost of preparing for a decennial review exceeded \$1 million and occupied hundreds of hours of staff time. One institution reported a 250% increase in cost over the last ten years. Few university presidents believe that this effort is even remotely commensurate with the benefit that the review provides to the institution. Furthermore, there seems to be a growing practice of finding even highly regarded colleges and universities wanting in the decennial review, largely for failing to meet quantitative standards developed by the accrediting agencies, which then requires the institutions to generate additional documentation between reviews. In a recent paper prepared for the National Institute for Learning Outcomes Assessment¹, it was reported that a staggering two thirds of institutions that underwent review by the Middle States Commission on Higher Education and 80% of those in the New England region required follow up actions related to assessment. These follow-up actions generally consist of further evaluations, reports, and paperwork that provide no clear benefit to students and are of no interest to the parents and donors who pay their tuition. There needs to be a serious reckoning of benefit versus cost in this bureaucratic system that seems to be running amok.

Let me turn to what is surely the most contentious issue surrounding accreditation today, and that is the surge in emphasis on metrics around student learning outcomes. In recent years the balance between assessing whether an institution has met threshold standards versus assessing continuous improvement has heavily shifted to the latter goal, with responsibility for decision-making shifted from knowledgeable peers to agency staff. Furthermore, the nature of what is meant by “continuous improvement” has swung from a broad assessment of what the college or university is doing to improve to a narrow focus on quantitative measures of student learning, unlinked, as I said earlier, to whether that learning is producing productive citizens. The last set of questions posed in the charge

¹ Provezis, Staci (2010). Regional Accreditation and Student Learning Outcomes: Mapping the Territory. Occasional Paper #6 (learningoutcomesassessment.org).

reflects this change in focus: **“Should there be common standards for learning outcomes/student achievement (should the rule of construction stand or should there be a set ‘standard’ for student achievement?) Who should decide those? How should they be measured? What should be the metrics of quality? What benefits (other than access to student aid)” accrue in a quality assurance process? Are those benefits worth the costs?”**

A credible college or university, one deserving of accreditation, should always be focused on ways to improve the quality of education it provides to its students. In the past, decennial reviews were opportunities for an institution to improve through self-reflection and intensive peer review. For example, in Princeton’s last review in 2004, we used the occasion to lay out plans for a new residential college system that more thoroughly integrated our academic program into the residential experience of our undergraduates. One of our goals was to significantly improve academic advising and enhance the extent to which academic pursuits extend outside the classroom. This was chosen for our self-study because it was the highest priority of the university at the time. The reviewers were enormously helpful in pointing out possible alternative ways to proceed, a number of which were incorporated into the ultimate plan. In our judgment, this process played a positive role in our effort to “continuously improve,” but it was targeted specifically on Princeton’s needs at the time. It did not lend itself to a judgment by “common standards,” nor would any application of “common standards” have been useful to us or helped to improve student learning. The fact that we were undertaking this initiative, and taking it very seriously, provided clear evidence that we were committed to the goal of continuous improvement. That an exercise so clearly beneficial to the institution would no longer be accepted as evidence for a commitment to improvement is a sad comment on how far we have moved in the wrong direction in our approach to accreditation.

Since this review, the definition of what constitutes continuous improvement has been rapidly narrowing to focus almost exclusively on improving statistical or formulaic measures of student learning outcomes. Some institutions may judge these measures useful, but others may find that the effort to compile and analyze them produces only questionable evidence of educational quality and deflects resources and efforts that could better be applied to clear areas of educational need. The narrow focus on quantifiable “student learning outcomes” relies on a conception of continuous improvement that may make sense in some circumstances, but it is potentially damaging to the quality of some of our best colleges and universities. This is not to say that measuring student learning and learning from it are not important. They are, and they should be encouraged by any means that are appropriate to the institution and to the individual course of study, but they should not take the place of nuanced and institution-specific initiatives to achieve real continuous improvement and they should not be used to impose a least-common-denominator approach to accreditation that runs the risk of diminishing quality and creativity, not enhancing it. In attempting to address issues of genuine concern in American higher education—diploma mills and institutions granting credit for courses that require little or no work—we risk imposing regulatory requirements that are not appropriate, or even necessary, for all institutions.

The charge to the committee asks whether there should be “common standards” by which accreditors measure student learning. I would argue that such an approach would fly in the face

of the enormous diversity among educational institutions that is a great *strength* of the American system. As stated earlier, universities and colleges differ in many ways, including their educational philosophies and pedagogical approaches. Requiring institutions to conform to a common standard would risk damaging the diversity of approaches that has benefited American students in the past by enabling them to enroll at the institutions that are best able to address their diverse needs and talents. Students learn in different ways and at different paces; they pursue interests as diverse as mathematics and comparative literature; and they have a broad range of life goals and aspirations. No standard measure of student learning could be equally and fairly applied to a mathematics concentrator and a student of comparative literature; the nature of their learning is fundamentally different and as a country we need both excellent mathematicians and members of our society who can help us understand the great literatures of many cultures. I would strongly urge the subcommittee to preserve the right of colleges and universities to define their educational mission, and to develop their own processes, standards and metrics for measuring how effective they have been in realizing that mission.

The question of “who decides” goes to the heart of the matter. Unlike many nations elsewhere in the world, the United States has nurtured a vibrant and vigorous respect for academic freedom. Under such a system, American higher education has flourished. I respect the right of the public and the government to seek assurance that institutions attended by students with the assistance of federal funds are meeting appropriate standards of quality. I believe that, rightly done, accreditation can play a positive role in sustaining and enhancing the country’s institutions, even as it also seeks to insure that all accredited institutions meet appropriate basic standards. But if recent trends continue, in which the staff of accrediting agencies seek to substitute their own judgments about what mission an institution should pursue and about how the institution can best achieve that mission and measure success, we risk damaging the country’s leading institutions.

In its deliberations I would urge the members of the subcommittee to be clear about what problem they are trying to solve, respectful of the strengths of our current system even as they address its weaknesses, and avoid causing harm to the aspects of higher education that are working well.

Sincerely,

Shirley M. Tilghman
President

WELLESLEY COLLEGE
OFFICE OF THE PRESIDENT

H. Kim Bottomly

May 26, 2011

To Whom It May Concern:

I write in support of the testimony presented by Shirley Tilghman, President of Princeton University, on the topic of accreditation in higher education. I write as the President of Wellesley College—a liberal arts college focused on undergraduate education—but my comments also are informed by my prior service as Deputy Provost of Yale University and by my almost 30 years as a teacher and scientist at a research-intensive university.

I am pleased that this topic is being addressed, because I think the accreditation and reaccreditation processes are integral to the future of higher education. But I am also worried about the current processes, and I look forward to the improvements that may follow from your efforts.

There are several important points that I want to emphasize as you consider the renewal of the Higher Education Act.

- Accreditation and self-assessment are valuable and worthy endeavors to maintain quality standards, however, the current process is not a fully successful one.
- There is growing concern with the current accreditation process among both educators and the general public, and a growing belief that, as currently done, the costs outweigh its benefits.
- Given the problems with the current system, I strongly urge you to consider an accreditation process organized by sector, rather than by geography. Such reorganization would make accreditation more useful to schools and would result in better outcomes for students.

Let me explain these points in more detail.

First, accreditation is important for maintaining standards both by assessing quality through external evaluation and by improving the delivery of education through a periodic and useful self-assessment. The first question we must ask is whether the current accreditation process is a fully successful one. I think the answer is no. The lack of sufficient attention to relevant and publicly understandable measures—like graduation rates, post-graduation success, and alumni satisfaction with their education—have contributed to a lack of insight concerning problem areas in higher education and a lack of public faith in the process. The current focus on untested, unproven “learning outcome measures,” which have no convincing demonstrated connection to success and productivity, detracts attention from what I think are the real issues. The current process is not only often a waste of resources; it is also a missed opportunity. We need to do better.

Second, it is important to understand why there is growing concern with the current accreditation process. The concern is driven in part by a general dissatisfaction with American higher education. Underlying this dissatisfaction are several key factors, including the rising cost of higher education and the decline of American education outcomes, such as graduation rates vis-à-vis other countries. Both are issues worthy of concern, but accreditation cannot address the former issue and, as presently conducted, does little to



address the latter. The lack of insight derived from the current process has caused legislative dissatisfaction, a lack of faith in the process and outcome by the general public, and a feeling by institutions of higher education that they are wasting resources and not benefiting sufficiently from the process. Every constituency feels some dissatisfaction with the process.

A partial solution to these problems could result from a structural reorganization of the accreditation process. I feel strongly that the accreditation process would be a stronger one if it were organized by educational sector, rather than by geography. Both schools and students would benefit if colleges and universities were held accountable to sector-relevant standards. The American higher education system is complex and multilayered. This is not an organizational flaw—it is part of the strength of our system. It performs more than one function—it is the heart of our nation’s research enterprise; it is the locus of higher education for our young citizens; it is our primary venue for focused career and job training. Our system provides a place for everyone. Institutions in different sectors perform differing amounts of each of these. Having each sector performing optimally is key to a productive future for our country. Different kinds of students with different expectations and needs enter the various sectors. Not surprisingly, desirable outcomes vary depending on the sector. Treating the American higher educational system as if it were a single entity for which something like a common set of “learning outcome measures” could be devised is simplistic at best; it is costly, inefficient, and self-defeating at worst.

A sector-specific accreditation process would benefit students in all sectors. It would allow us to focus our efforts and resources on the many, many students who attend schools that need resources to improve their learning processes and graduation rates. We need different tools to measure the success of different types of schools. We need measures that tap the different practices across sectors that all lead to job attainment, career success, social mobility, and a well-informed citizenry.

Another benefit of a sector-specific accreditation process is that self-analysis and self-review would become much more valuable, as each accreditation committee would have greater relevant expertise and would be better suited to focusing on the mission-specific goals of each institution. This also would allow more opportunities for sharing best practices across institutions within sectors.

I appreciate that the task before you is a large one, and I know that there is much to consider in renewing the Higher Education Act. I know that each of you brings important and specific expertise to NACIQI and that you will be thoughtful in your deliberations. Again, thank you for the opportunity to share my comments on this critical topic.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Kim Bottomly', with a stylized, cursive flourish at the end.

H. Kim Bottomly

Written Comments re: Issue Number 3

re: the Reauthorization of the Higher Education Act

Submitted by: Bernard Fryshman

May 20, 2011

Bernard Fryshman, Ph.D.
1016 East Second Street
Brooklyn, NY 11230
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A CALL FOR A DISCERNING VIEW OF ACCREDITATION

Higher education begins with teachers facing students, each of whom is different, yet who must satisfy the same curriculum, take the same examination and meet the same standards for graduation. Young and old, novice and experienced, gifted and otherwise, each must demonstrate mastery of skill and content within an acceptable range, and it is up to the faculty member to apply the standards equitably, yet wisely.

This is not an easy task, given the wide scope of postsecondary education. Students presenting an English essay, analyzing a passage, submitting an architectural proposal for a new building, or detailing the reasons for an historical event must be given wide latitude for acceptability and even excellence.

Accreditors must similarly display understanding and wisdom in recognizing a variety of schools and programs, on the basis of a single set of standards. But although the standards are alike, the manner in which the standards are interpreted and applied is not.

Thus, a small school with adequate faculty often has a much closer relationship to its students than does the larger. Student growth differs, as does extra curricular engagement. A small school might have a much more focused mission, but a much more hard pressed administration. Financial stability considerations are not the same, and the kind of assessment possible in one framework is sometimes not possible in the other.

A well-run accrediting agency will take these factors into account when reviewing a school, modifying its expectations for each standard, appropriately. Thus, the

multidimensional and comprehensive self-study expected of a large institution, would not be required of a smaller one. Similarly, a large, well endowed university's community service should be much more effective than that of a more recently founded institution.

Size is not the only differentiating characteristic: single purpose and comprehensive, traditional and online, open enrollment and selective, and research oriented and teaching institutions all add to the variety facing the accreditor, and to the challenge.

This need to apply a single set of standards non-uniformly imposes a burden on the accreditation professional, on the decision making body, and on site visitors. Yet all accreditors recognize the need for such practice, and implement it willingly.

And so to the US Department of Education (ED) which must apply a single set of regulations to a variety of accrediting bodies. Even as each accreditor must review mission, governance, financial stability, educational quality, and student achievement, there are differing characteristics, the most salient being the nature of the field being accredited.

A history major graduates from college not being able to "do anything." Yet he or she has engaged in intellectual challenges of increasing rigor and complexity, has demonstrated the ability to rise to these challenges, to develop critical thinking skills, and by the end of the senior year has established the ability to undertake more sophisticated studies with a large degree of independence. Successful graduates are often motivated to go on to further study, and ultimately to contribute to the field. The goal is not a career, although careers do follow. Rather, the goal is the transformation of the individual, the creation of a thinking person who recognizes the importance of knowledge for its own sake and, if true to form, will be a life long learner. This history major has been encouraged to be creative, innovative in his/her thinking, courageous – willing to try new paths, and develop novel insights.

Contrast this to the engineering graduate who, at the end of four years, is expected to have acquired the skills of his profession, be able to sit for a licensure examination, and be capable of filling a job. The same is true for a nurse, a teacher, and a physical therapist. The engineer, while encouraged to be creative, mainly acquired a large body of knowledge in a fixed, predictable way.

The accreditor reviewing a training program for a laboratory technician has a precise protocol. The laboratory technician cannot have an “innovative” approach towards examining a blood sample. Perhaps decades later this individual will develop some new technique or technology, but for the time being his/her training is fixed and predictable. Such a training program must touch all the bases, and the accreditor must be sure to check all the boxes. The quality of such a training program can often be judged by proxies such as the percentage of the graduating class which successfully passes a State licensure exam, or is successfully employed a year or so after graduation.

In this accreditation process there are specific guidelines and industry developed tasks which can be reviewed, counted, analyzed and which can serve as a basis for improvement and change.

The same cannot be said for a program whose emphasis is on scholarship. A mathematics professor, on a site visit, looking at the kinds of examinations administered at a school, must deduce whether the level is consistent with the norm, whether the student’s creativity is being challenged, or whether the students are simply learning to remember large quantities of information. Sitting at the back of a classroom, the observer must be able to determine the effectiveness of the teacher and sometimes, too, his/her suitability for a given level. Such observations, deductions, and conclusions are the products of an onsite peer review, rather than the result of a study of numbers provided by the school being accredited.

This, by the way, is the reason that some accrediting agencies resist inappropriate pressures to summarize the results of their activities numerically. Questions relating to achievement, mission, objectives, student accomplishment and the like, must be answered in a manner which is reliable, valid and relevant for the field. Thus, using parameters which are valid in fields with an occupational component results in irrelevant and sometimes misleading information in fields focused on scholarship and the transformation of the individual.

The lines of delineation are not always so clear, particularly in the case of accrediting bodies reviewing large comprehensive institutions which house a variety of fields. This is why accreditation requires alert, incisive professionals capable of making appropriate distinctions. And this is why the Department of Education, in turn, must permit its program analysts to study each accrediting agency's field carefully, to understand its nuances and special characteristics and to make judgments in a framework consistent with the accrediting agency being examined.

The Department of Education must also explicitly recognize the relative strengths and limitations of agencies of different sizes. An agency, which arranges about 10 site visits a year, has a very different kind of training need than an accrediting body which carries out 500 visits a year. The nature of the public served by a regional accreditor with 50 million people focused on its accredited schools is very different from an agency whose total public might number several hundred thousand people.

ED must allow the accreditor to define the field, its goals and outcomes, and permit him/her to make the case for the nature of the site visit interactions as consistent with the field. There must be an end to the required use of measures which are irrelevant to all but one segment of accreditation. Otherwise it is students who suffer, as accreditors seek to comply and then force their recognized institutions to modify their ongoing (successful) procedures in order to fit the new compliance strictures.

The Department of Education must also formally recognize these differences in its Guide to Recognition, alerting program analysts and NACIQI to apply recognition regulations in a manner pertinent to each agency's uniqueness. Every element in the Guide should contain language addressing possible approaches to be used for different kinds of agencies.

The world of accreditation has a right to expect that those who criticize accreditation, who make recommendations to "improve" it, or who deign to judge its effectiveness first take the time and effort to learn about accreditation. That means a careful study of the various fields, unrestricted conversations with accreditors, participation in accreditation visits, and a willingness to permit accreditors to be part of all debate and deliberations regarding accreditation.

The Department, the public, and society have a right to ask every accrediting agency "how do you assess learning?" They have a right to expect that there will be a cogent, clear answer describing the process. But accrediting bodies should not be confronted with rubrics, measurements, and benchmarks which have no relevance whatever to the process, or the practice, in which they are involved.

Recommendation for Reauthorization:

Congress should unequivocally instruct the Department of Education to ensure that regulations are applied in a manner consistent with the field, size, and other unique characteristics of each accrediting agency.

From: President's Office [President's.Office@dartmouth.edu]
Sent: Monday, May 23, 2011 8:59 AM
To: aslrecordsmanager
Subject: Written Comments Re: Issue Number Three

Dear colleagues,

I am writing to express my strong support for Princeton University President Shirley M. Tilghman's letter of January 14, 2011, to Susan D. Phillips, Chair of the subcommittee of the National Advisory Committee on Institutional Quality, and her subsequent testimony.

I would like to particularly affirm two of her remarks.

The first is that the geographically-based, "one size fits all" approach to accreditation is increasingly unsuited to American higher education and its diverse institutions. It does not reflect the ways in which education has changed and can, as President Tilghman noted, "constrain innovation, creativity, and improvement."

The second is that the staff of accrediting agencies have a valuable role in upholding the quality of higher education, but institutions should be able to maintain their autonomy. I agree with President Tilghman that staff should not "substitute their own judgments about what mission an institution should pursue" for the judgment of the trustees and administrators of that institution.

In closing, I would like to emphasize how helpful the accreditation process has been for Dartmouth. It has also been critical to protecting the interests of taxpayers who are underwriting a significant investment in education. This is why it is so important that those formulating policy related to the accreditation process to continue to seek ways of improving that process.

Sincerely,

Jim Yong Kim
President, Dartmouth College

From: Debora Spar [dspar@barnard.edu]
Sent: Wednesday, May 25, 2011 11:58 AM
To: aslrecordsmanager
Subject: Written Comments re: Issue Numbers One & Three

On behalf of Barnard College, I am writing in support of the statement made by Princeton President Shirley Tilghman on January 14, 2011.

Having just completed our own Middle States reaccreditation process, we are well aware of the issues raised in President Tilghman's response, time and expense being among the most quantifiable and significant. We spent two and a half years and countless hours and dollars in preparation for our recent review. Of course, there was a tremendous amount to gain, but it does raise important questions.

I also want to lend my support for Tilghman's suggestion of a national model of agencies by institution type, as well as her advocacy for focusing on metrics -- graduation rate and job placement history -- to make the case for the quality of an education. In addition, I share concern about current measures of achievement data and hope that we can look towards continuous self-improvement in the institutional context as being worthy of review.

Sincerely,

Debora L. Spar
President
Barnard College



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May 25, 2011

Ms. Susan D. Phillips
Provost and Vice President for Academic Affairs
State University of New York at Albany
Albany, New York 12222

Dear Chairman Phillips:

We are writing to you as Chair of the subcommittee of the National Advisory Committee on Institutional Quality to share information and insights gleaned from the University of Michigan's reaccreditation by the Higher Learning Commission in 2010. Our recent experience with reaccreditation has given us the opportunity to reflect on critical questions about the benefits and costs of this process and to consider how it might be improved. In this letter, we will offer our perspective on the following concerns: institutional costs incurred in accreditation; the roles, responsibilities, and capacities of accreditor agencies; and the scope, alignment, and accountability of accrediting agencies.

Costs of Accreditation - The University of Michigan was reaccredited by the Higher Learning Commission in 2000 and, following normal procedures, again in 2010. In 2000, our total cost was approximately \$370,000, with direct costs of about \$270,000 and indirect costs of roughly \$100,000. Costs for 2010 were considerably higher, \$1.3 million, with \$1 million in direct costs and an additional \$300,000 in indirect costs. These figures do not include the time invested by faculty and staff across the University who provided information and other assistance throughout the reaccreditation process.

Clearly, over the decade since the review in 2000 these costs have soared. This is due, in part, to public pressure for greater accountability in higher education, which lead to calls for more kinds of information and greater detail about them. A second factor is the reaccreditation experience of some of our peer institutions. Their experiences suggested there is a not insignificant risk that the findings of a re-accreditation review team could point to what the team perceives to be shortcomings, quite possibly in contrast to the evidence provided. The University of Michigan prepared for reaccreditation with these concerns in mind, making extraordinary efforts in our preparations for the review in 2010.

Role of Accrediting Agencies - Higher education has long been valued as the key to success in American society. In times of economic uncertainty, the question of the cost of higher education has taken on increased saliency among political leaders and the public. One consequence of this is that accrediting agencies have expanded their reach, digging more deeply into the details of institutional management as well as examining larger questions of mission and achievement. This deep dive into institutional management has inherently increased the workload of the institution under review.

Accrediting agencies are organized geographically and include research universities, regional public universities, liberal arts colleges, and community colleges. Different kinds of institutions benefit from different kinds of review and it would be beneficial to colleges and universities and accrediting agencies to develop accrediting processes that take this into account.

Specifically, we recommend consideration of sorting institutions by Carnegie Foundation for the Advancement of Teaching categories (the “Carnegie classifications”). The benefits of this approach, we believe, would be many. For example, the current geographical configuration and the resultant diversity of institutions in each regional accrediting agency lead to lists of consultant-evaluators who come from a wide range of institutions. This wide variation in institutional background and experiences makes it more difficult to recruit faculty members or senior administrators, particularly from research institutions, to the consultant-evaluator role. In turn, this makes it difficult for the agencies to appoint consultant-evaluators with sufficient knowledge of the nature of research institutions to serve on research institution accreditation review teams efficiently—that is, without the need to become educated enough to evaluate such institutions effectively and fairly.

Research universities benefit most when review team members are people whose knowledge of higher education in general and top tier institutions in particular allow them to quickly absorb a breadth of information about the institution and then ask helpful, probing questions. If members have limited exposure to how top tier institutions work, there are two potential consequences: 1) they are less likely to make meaningful contributions because of their lack of understanding and experience, and 2) review team dynamics may suffer because of the learning needs of some members.

If a review team includes even a few people who do not understand the type of institution they are reviewing, this lack of understanding and experience can result in uninformed judgments, with potentially serious implications for the institution under review. Some system of tiered divisions, either across the current agencies or in a new configuration entirely, would help to address this issue.

Another benefit of a tiered approach would be to allow for differing levels of oversight depending on the type of institution being reviewed. For some institutions, there are important questions about whether they are sound enough organizationally and financially to warrant access to sources of federal financial aid programs. In contrast, there are many institutions at the other end of the spectrum that have a long history of sound financial and leadership practices and for whom this detailed look at finances is unnecessary.

We turn now to a specific comment about the Higher Learning Commission (HLC), which we believe to be a model regional agency. The University of Michigan has long found the HLC to be imminently reasonable in its approach. The HLC recognizes and appreciates the seriousness with which the University of Michigan takes its reviews for reaccreditation. The commission's offer of a special emphasis study approach for complex institutions has enabled us to take our commitment to higher levels by focusing, in 2000, on the issue of interdisciplinarity, and for our recent review in 2010, on internationalization. In addition to compiling a wealth of evidence to demonstrate that the University of Michigan meets the HLC's criteria for reaccreditation, we have been able to benefit greatly by focusing on issues of widespread importance at our institution.

In addition, under the able leadership of Dr. Sylvia Manning, the HLC has developed a new model for accreditation that creates just the sort of tiered structure we are recommending in this letter. The model, termed Pathways, also creates more touch points over the ten-year period for reaccreditation but in a way that should not cause institutions like the University of Michigan more work.

The HLC's stated goals in this endeavor are to "enhance value, sustain rigor, and diminish burden" but also to respond to external pressures by increasing the number of reporting and review points over the ten-year cycle. For institutions like the University of Michigan, such a revised structure would be most welcome if the revised model, can achieve the stated goal of decreasing the burden of re-accreditation review for top tier institutions—so that institutions like the University of Michigan can focus on fulfilling our core missions of teaching, research, and service.

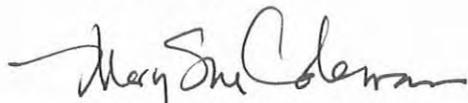
Accreditor scope, alignment, and accountability – The University of Michigan values the role accreditation and reaccreditation play in attesting to the educational value, soundness, and stability of colleges and universities. To insure that this process is similarly valuable to all educational institutions, we believe that there should be a set of external principles to which all accrediting agencies adhere. We believe that these principles should focus on review processes that can be applied to the review of a wide range of institutions.

Chairman Phillips
May 25, 2011
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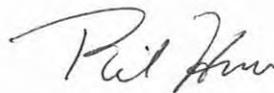
Once such a set of principles is agreed to, practices that address the needs of different kinds of institutions could be developed. Review process principles that apply to all institutions and practices that align with Carnegie classifications would create an accreditation system that recognizes the diversity of educational institutions in the United States and provides meaningful oversight that responds to public requests for accountability.

The University of Michigan would welcome the opportunity to participate in discussions about how the current model of accreditation could be shaped to address the concerns expressed here and to better meet the needs of the wide array of institutions that must be reviewed to ensure that they meet the high set of standards set by the HLC and the other regional accrediting agencies.

Yours truly,



Mary Sue Coleman
President



Philip J. Hanlon
Provost and Executive Vice President
for Academic Affairs



**Comments from the International Chiropractors Association
to the U.S. Department of Education, Office of
Postsecondary Education National Advisory Committee on
Institutional Quality and Integrity (NACIQI)**

On April 26, 2011 a public notice was published in the *Federal Register*, Volume 76, Number 80, inviting the public to submit written comments and requests to make oral comments concerning the NACIQI's report on the reauthorization of the Higher Education Act (HEA). The International Chiropractors Association (ICA) deeply appreciates this developmental exploration and the openness to collect the widest possible breadth and depth of perspectives, data and recommendations in an effort, as was articulated by Committee Member Susan Phillips at the February 3, 2011 meeting as, "*what we might want to advance as recommendations to the Secretary for the Higher Education Reauthorization.*"

ICA is a chiropractic professional organization with member doctors of chiropractic in all fifty of the US states as well as more than fifteen-hundred chiropractic college students, numerous faculty and administrative personnel also active members of the Association. ICA also has graduates of every chiropractic college in the US as members. There is presently a great deal of concern within the chiropractic profession about the future of chiropractic education. The ICA has worked hard to both understand these sometimes highly controversial issues and to articulate the substance of those concerns as well as offer possible solutions in every relevant forum.

ICA's concerns are anchored in the historic performance of, and conflicts and issues related to the sole accrediting agency for chiropractic professional degree programs, the Council on Chiropractic Education (CCE). This agency is currently recognized by the USDE's National Advisory Committee on Institutional Quality and Integrity (NACIQI). The specifics of our concerns with this agency highlight several key points relevant to the current data collection process.

ICA respects and appreciates the depth of the discussion that has already taken place on how the USDE can best serve the educational community and the public through the accreditation regulatory process. We believe, however, that in addition to the finer points of quality improvement, concern over costs and other outcomes and prescribing-related discussion points so thoroughly discussed at the February 3-4, 2011 Committee meeting, the Committee should consider basic questions of fairness, conflict of interest, exploitation and abuse and also explore how the federal recognition process can better guard against such abuses. This need is especially urgent in circumstances, such as that enjoyed by the Council on Chiropractic Education (CCE) where a single agency stands in a monopoly position.

In his comments at the February 3, 2011 Committee meeting, panel member Peter Ewell made the following statement:

The need to address, I think, all or nothing quality of accreditation decisions. The accreditation decision is up or down, and that means that an accreditor is often reluctant to sanction institutions because it can be for some of them a death sentence, and the possibility has been raised from time to time and I think it's worth considering, of having different levels of accreditation that would modulate that event.

Perhaps this “need to address...all or nothing” decisions referenced from the February 3rd minutes should be extrapolated into a broader discussion about the recognition of accrediting agencies by the NACIQI, as has historically been the case, should be discussed in a search for enhanced authorities and graduated enforcement steps which might be applied to help correct deviations from the established norms of accountability, objectivity and exploitation. ICA is very conscious of the philosophical and procedural issues that are encompassed in these considerations, but we are also very much aware of the fact that hundreds of millions of tuition dollars can be impacted, skewed or even directed in the decision-making of an accrediting agency. Such incentives to abuse the authorities of a unique agency active in the health professions, especially in the light of a history of actual incidents, makes ICA’s interest in more effective USDE oversight and sanction powers most substantive.

While the ICA has concerns about the entire range of topic areas specified in the April 26th *Federal Register* announcement, we are primarily concerned with the third issue identified for close examination by the Committee. We wish to begin our comments by addressing this issue, even though it is out of sequence, as it represents the Association’s main body of concerns.

Issue Three: ACCREDITOR SCOPE, ALIGNMENT, AND ACCOUNTABILITY: This issue focuses on accreditor scope, alignment, and accountability. Included are questions about the sectors and scope of varying accrediting agencies, the alignment of standards across accreditors, and accountability for accreditation decisions.”

The issues itemized under this topic heading represent the most difficult and challenging but also essential and urgent elements in the review process now underway. In the context of the accrediting agency for the chiropractic professional education system, each element identified herein has been problematic over the past two decades and, we believe, indicates how greater analysis, oversight and enforcement capabilities and new efforts are indicated on the part of the NACIQI.

Accountability: This is an issue that must begin with clear definitions and lines of authority. Rather than debate and discuss all such possibilities in the higher education accreditation context, we would like to focus on the element of accreditation agency governance and how the personnel and structures of that governance are constituted. In the case of the Council on Chiropractic Education (CCE), governance is vested in perpetuity in the hands of a small, closed circle whose members are able to select the dominant majority of decision-makers without any possibility of outside input or challenge.

Any self-contained and self-perpetuating governance equation, by definition, disenfranchises any circle of stakeholders who do not have access to and influence with such an inner circle, minimizes constructive dialogue and precludes meaningful dissent. ICA's deepest concern is that a self-perpetuating governance matrix lends itself all too readily to the exploitation of that power in a prejudicial fashion to favor some institutions, points of view, content of standards and procedures over other, more objective pathways for conducting agency business.

As a case study in how such a closed and isolated governance circle can operate, ICA would like to bring to the Committee's attention the recently conducted CCE *Standards* revision process. CCE published a draft *Standards* for accredited educational institutions and provided for a period of public comment. The final public comment period closed on September 29, 2010. During that period when individuals and chiropractic organizations were afforded the opportunity to comment on proposed changes in the CCE educational standards for accredited institutions an unprecedented wave of responses was generated from the chiropractic profession. Nearly 4,000 individuals and organizations submitted comments on the proposed standards changes, the overwhelming majority of which were strongly opposed to the elimination of profession-specific terms, definitions and standards, reflecting a unique and powerful wave of concern throughout all segments of the chiropractic profession. In previous comment periods on proposed changes in standards only one to two hundred comments have ever been received by CCE.

During the open comment period ICA offered detailed comments on its primary concerns and also worked to inform and mobilize individual DCs, students and other chiropractic organizations to do the same. Highly intelligent, insightful and very compelling comments were submitted by a host of chiropractic colleges, state organizations, specialty organizations and several thousand individual doctors of chiropractic from every state in the United States and many from abroad as well.

The mass of comments received by CCE was evaluated by a 13-member Standards Task Force. According to the official mission statement of that Task Force on the CCE website:

The Task Force is charged with complete review of and comprehensive revisions to the CCE process of accreditation, criteria and requirements for accreditation, clinical competencies, and any related policies, processes and bylaws. These revisions will be proposed to the CCE Board of Directors for final review, editing and approval. As part of its work, the Task Force will conduct thorough reviews of U.S. Department of Education policies, regional accreditation requirements for U.S. institutions of higher education, and the accreditation standards for various doctoral level health science professional programs, to seek information and ideas for the development of content and models most appropriate to the process and requirements associated with chiropractic education accreditation. Beyond drafting text that specifies minimum conditions to be satisfied for accreditation, the revised documents will be

expected to include elements and provisions that characterize and promote programmatic excellence.

That Task Force met in December, 2010 and reviewed the recommended substantial changes to the 2nd draft *Standards* as a result of the feedback from the profession. Regrettably, some of the key recommendations to that Task Force were set aside in a process that remains unclear. At the public meeting in January, 2011, revisions recommended by the Task Force on the basis of public comments were eliminated prior to adoption. Thus, the entire comment process was not seriously considered as a basis for substantive changes. Most of the key concerns expressed in the vast majority of the public comments were not acted upon.

This behavior has shaken profession-wide confidence in the processes, personnel and objectivity of the CCE and showcases in very dramatic terms the potential for an insulated clique of self-selected individuals to drive the accreditation process beyond the boundaries of responsible regulation. It also highlights the need for more stringent federal requirements for openness, substantive accountability and genuine responsiveness in this process.

ICA was pleased to see a discussion of the role and numbers of “public members” included in the decision-making bodies of accrediting agencies (*Transcript*, February 4, 2011 page 27, lines 4-13). In the context of our profession’s accrediting agency, the expansion of the public members’ role and the establishment of stringent new federal criteria for any such place-holder would be a step forward. To showcase the importance of action in this area, ICA would point to a situation in recent years where, in a highly charged and contentious environment, the so-called “public member” of the CCE was the wife of a high-profile official of one of the national professional chiropractic organizations.

ICA strongly urges that the Committee explore ways and means in the current review process to establish guidelines, which embody stringent criteria for the maintenance of objective mechanisms of accrediting agency governance into which stakeholders have regular and reasonable means of input, including pathways through which stakeholder organizations might participate in democratic governance personnel choices.

With these thoughts and concerns as background, ICA is pleased to address the greater range of issues being considered, starting with the issue of regulatory burden and costs.

According to the April 26, 2011 Federal Register entry, the Committee is seeking input on the following:

Issue One: REGULATORY BURDEN and DATA NEEDS: This issue focuses on the concerns about the regulatory burdens and costs of accreditation to institutions, students, and taxpayers. Also included are questions about the nature, quality, and quantity of data gathering and reporting required on the part of institutions and accrediting agencies.

The gathering of objective, standardized and verifiable data on the wide range of subjects by an accrediting agency is the established norm. From financial management issues to outcomes such as graduation rates and long-term professional viability of graduates from the various institutions such data demands are practical, reasonable and essential in the assessment of institutional effectiveness. The critical question is to what legitimate use does an accrediting agency put such data and does it do so according to a standardized matrix of criteria? Data should only be collected to measure performance, verify compliance to required quantifiable financial, personnel or physical plant standards, etc.

ICA understands that the financial and management data required to validate an institution's worthiness to receive student loan access represents a significant portion of mandated information gathering. ICA supports the separation of qualifying for federal financial aid from the general accreditation process for a variety of reasons, chief among them is the shift in institutional and agency focus in the direction of outcomes, completion rates, student learning outcomes and, in the case of any professional degree granting system, success of graduates in the marketplace in the years following graduation. This would provide an environment in which a new data focus might provide a much more sound, quantifiable and objective basis for accreditation decisions.

ICA supports the most vigorous exploration by the Committee of "sector" related possibilities in creating a new, more specific set of recognition criteria. While there may be some difficulties inherent in drawing exact lines of separation between sectors on which there is universal agreement, in the area of licensed health professional degree institutions there can be exact clarity. ICA respects the perspectives and concerns outlined in the area by witness Sally Tom, representing the Accreditation Commission for Midwifery Education (ACME) (Transcript, February 4, 2011, pp. 84-85) and also notes the vital importance of ensuring that standards promulgated by any health professions' accrediting agency are in full compliance and consistency with the authorities and responsibilities of respective professionals according to the laws and regulations in place in the states. Such a sector-specific focus would also encourage and facilitate a greater and more measurable focus on competencies by both institutions and agencies.

Issue Two: "THE TRIAD": This issue focuses on clarification of the roles, responsibilities, and capacities of federal, state, and accreditor entities in issues of accreditation and institutional aid eligibility. Included are questions about the link between institutional aid eligibility and accreditation.

In the current review process underway, the ICA wishes to express its strong belief in the need for a dominant federal role in the accreditation process where guarantees of objectivity, openness and accountability are concerned. Once again, ICA strongly supports exploring the separation of qualifying for federal

financial aid from the general accreditation process and looks forward to participating in that dialogue in every possible forum.

As a closing comment, the ICA urges the Committee to be proactive, innovative and aggressive in seeking solutions to establish measures of accountability, transparency and responsiveness to the legitimate concerns of stakeholders in the context of an accreditation monopoly without overdue concern to the concept articulated by Mr. Ewell at the outset of the February 4, 2011 Committee session (*Transcript* page 6, line 17), "to do no harm." ICA understands the reluctance to see added government regulations and requirements as a standard solution, but in the case of any monopoly accrediting body, as has been highlighted in the discussion of the Council on Chiropractic Education (CCE) presented herein, there is no other course of appeal. While such concerns are, in general terms, quite understandable, deciding not to act in the face of legitimate concerns regarding fairness, injurious imbalance in procedures and governance and isolation from genuine accountability has serious consequences of its own that has the potential to impact thousands of students, parents, institutional employees and the chiropractic profession at large.

The discussion regarding "levels of accreditation" referenced in the discussion at the February 4, 2011 Committee session, ("*...there might be some way of distinguishing from the basic accredited status to gold star, or three stars...*") *Transcript* page 11, lines 1-3) represents just the kind of new opportunity to skew the accreditation process in a prejudicial fashion in the absence of stringent new federal fairness and transparency standards. ICA does not see federal involvement in such issues as problematic but as the only responsible solution.

The International Chiropractors Association looks forward to an ongoing, positive dialogue with the Committee on the issues outlined herein and hopes that substantive changes to the federal process might emerge as a result, better protecting students, educational institutions and current and future chiropractic professionals from even the potential for an abusive, prejudicial accrediting system. We will be happy to provide any additional information or answer any questions Committee members might have regarding the issues raised in these comments or any other matter related to chiropractic education, accreditation or the science and practice of chiropractic as established by the states.

Thank you for your attention and consideration.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Gary L. Walsemann". The signature is fluid and cursive, with a prominent "G" and "W".

Gary L. Walsemann, DC, FICA
President