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College Evaluations • Higher Education Policy

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November 6, 2011

Melissa Lewis, Director, NACIQI
U.S. Department of Education
Room 8060
1990 K Street NW
Washington DC 20006

Dear Ms. Lewis:

Thank you for the opportunity to comment on the NACIQI discussion draft, *Higher Education Accreditation Reauthorization Policy Considerations*. This is an excellent, well-written and very useful document.

I recently retired after fifteen years working for state agencies that were responsible for postsecondary oversight and college approvals. Most of this time was as administrator of the Oregon Office of Degree Authorization. I am also serving as a member of the drafting team for the efforts currently underway through the Council of State Governments to produce a viable interstate compact for the authorization of colleges that would have the effect of making it easier for colleges to operate in multiple states. Thus I have worked with many of the issues discussed in the draft.

Linkages between academic quality and consumer protection

One of the difficulties that you have addressed in the draft is that there are good reasons for the three "triad" functions to overlap. One of these that is perhaps not well understood is that consumer protection covers more than obvious fraud and fakery. It also covers academic quality and many technical issues subsumed within the idea of quality.

For example, it is fairly common for colleges that expand into multiple states to be lax in their determination of how their programs are classified under the laws of that state. This is especially true in licensed professions. A college may decide to offer a program in a state without realizing that graduates of the program do not meet the requirements to practice a profession in that state. I am not sure that this situation can be classified solely as consumer protection or as academic quality—it has elements of both.

Oversight of program content in this situation seems to me primarily a state function, as the state is best situated to most easily deal with interagency issues such as licensure. Consumer protection includes the need for state action to ensure that colleges do not offer programs that are decoupled from state licensing requirements.

For this reason I suggest that any final version of the NACIQI document expressly recognize that the issue of program content as it relates to legal requirements for professional practice be considered primarily a state function under the triad theory.

The nature of responsibility for colleges

At a basic level, the entity that is responsible for the quality of what a college does is the entity that authorizes the college to operate as a degree-granter. In most cases this is a state. For example, Harvard is allowed to issue degrees because it has a charter from Massachusetts that says that it can do so. The rather elaborate methods used to convert its Royal charter to a state charter at the time of U.S. independence make for humorous reading, but the principle is absolutely clear. In a few cases, the legal responsibility for a college's degree authority arises from the federal government or from a sovereign Indian tribe.

Because this is true, the triad is not always exactly the same configuration. The federal government has a much greater responsibility for its own institutions (e.g., the service academies) and those it may charter, e.g. Gallaudet, which holds a Congressional charter as a degree granter. Likewise, the ultimate responsibility for qualitative oversight of a tribally chartered college such as Sinte Gleska or Salish Kootenai rests with tribal authorities.

The triad must therefore be viewed as having slightly adjustable legs. The functions that we customarily think of as belonging to "states" in fact belong to the chartering or "home" licensing entity. This is usually a state, but can be another source of governmental authority.

Funding for oversight

One of the issues that we face in looking at these issues is that although federal needs may add to what an accreditor (or even a state) is expected to do, these expectations do not come with a check enclosed. If accreditors or states are to perform functions because the federal government needs them to, then the federal government needs to cover the cost of doing that. This is done today at least in part in at least two somewhat similar situations, Veteran's approving offices (in which the state-based staff doing the screening is subsidized with federal funds) and IPEDS data gathering (in which costs of necessary national meetings are paid for from federal sources). It is not appropriate for the federal government to simply dump a function onto the states when the function is federal in nature.

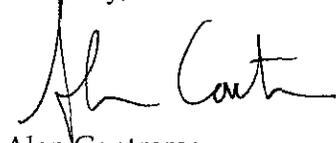
Other issues

I concur that there is no particular reason for institutional accreditors to be regional in nature, with one exception that relates to other goals mentioned in the document. If closer working ties between states and accreditors are desirable, which I think they are, then having accreditation done nationally based on institution type in effect makes closer working ties somewhat more difficult.

I think a review of the cost of accreditation is appropriate, but it must necessarily be done as part of a consideration of the cost of existing and potential alternative processes. Information about the cost of accreditation is not very useful viewed in isolation.

Thank you for the opportunity to comment on this draft.

Sincerely,



Alan Contreras