



Accrediting Commission of Career Schools and Colleges

2101 Wilson Boulevard, Suite 302  
Arlington, Virginia 22201  
703.247.4212  
703.247.4533 fax  
[www.accsc.org](http://www.accsc.org)

To: The National Advisory Committee on Institutional Quality and Integrity (NACIQI)  
[aslrecordsmanager@ed.gov](mailto:aslrecordsmanager@ed.gov)

From: The Accrediting Commission of Career Schools and Colleges (ACCSC)

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Subj.: Written Comments Concerning the Committee's Draft Report on the  
Reauthorization of the HEA

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The Accrediting Commission of Career Schools and Colleges (ACCSC) appreciates the opportunity to participate in the ongoing dialogue with the National Advisory Committee on Institutional Quality and Integrity (NACIQI) about what is working and what can be improved in the current system of accreditation and its role as a gatekeeper to federal student financial aid programs under Title IV of the Higher Education Act. ACCSC has been continuously recognized by the U.S. Department of Education or its predecessor as a reliable authority on quality education since 1967 and in June 2011 earned NACIQI's recommendation for another five-year grant of re-recognition. Suffice to say, ACCSC is committed to the important role that accreditation plays in advancing quality education for students and in fulfilling its role as a gatekeeper to help ensure the continued integrity of the Title IV federal student financial aid programs.

NACIQI's draft report provides a diverse array of options for consideration under the course of action that retains the role of accreditation agencies in establishing institutional eligibility to participate in federal student financial aid programs. ACCSC supports the retention of accreditation as the best course of action to follow and believes that the "triad" of regulatory actors (state regulators, accreditors, and the federal government) is the best framework to ensure educational quality and the integrity of the federal student aid program. ACCSC, based on its 40+ years of experience, concurs with the perspective articulated in the October 18, 2011 NACIQI Discussion Draft that "accreditors are the most experienced source of information about academic quality and should continue to play that part in the quality portion of the determination of eligibility." As such, ACCSC believes that retaining the accreditation component of the institutional eligibility process is in the best interest of the public and that separating accreditation from the Title IV eligibility process would weaken the overall gate-keeping function of ensuring that only those institutions that demonstrate educational quality may participate in the federal student financial aid programs.

Dissolution of the reliance upon accreditation would reduce the Title IV eligibility process to one that is overly bureaucratic and would risk the potential of missing key data that are critical in assessing institutional performance, educational quality, and student success. It is inconceivable that a federal agency or state agencies, or any other single entity, would be able to assess appropriately the quality of such a diverse set of institutions and programs as exists in the United States. In fact, the current statutory triad structure is built in part on the recognition that the federal government should have no direct involvement in assessing academic quality or curricula.

Moreover, ACCSC contends that modifying the linkage between accreditation and institutional eligibility to participate in federal student financial aid programs would only serve to weaken the integrity of Title IV programs. If the link between accreditation and the Title IV eligibility process is lessened, it is unclear with whom the responsibility of ensuring educational quality would rest and in such a case it seems that Title IV funds and the students who receive them would be more vulnerable, not less. ACCSC also believes that lessening the reliance on accreditation as a key actor in the regulatory triad would serve only to dilute the foundational meaning and purpose of accreditation as an authority on educational quality. Accreditation is a long, comprehensive, and transformative process that results in not only an assurance of institutional quality but also requires an institution to seek improvement and reaffirmation on a continuous basis. Therefore it is ACCSC's contention that the statutory federal structure should continue to take advantage of accreditation's full value in the gate-keeping role. To replace the intensive process of accreditation with a simple baseline for Title IV eligibility would be completely counter-productive to the goal of enhancing educational oversight systems that focus on the right kinds of metrics.

### **The Critical Role of the Triad in Ensuring Quality**

While it is true that accreditation by a recognized accrediting agency such as ACCSC is necessary for an institution to participate in Title IV federal student financial aid programs, fundamentally, eligibility consists of three partners in the oversight triad. Institutions must maintain compliance with the requirements of each of the oversight partners on a continuous basis or risk losing access to federal student aid. While there is some commonality among the requirements of the gatekeepers, generally the states are chiefly interested in protecting student-consumers, the accrediting agencies are concerned with academic standards and the quality of the student educational experience, and the Department is concerned with the institutions' responsibilities as fiduciaries of the federal student financial aid programs.

Accreditation and its quality assessment mechanisms have been the hallmark of educational success in this country for over a century and the federal government should continue to rely upon experts to make those quality assessment mechanisms. Accreditation allows professional judgment to assess a broad array of institutions and to cultivate the rich diversity those institutions bring to the higher education landscape. As higher education takes a more diverse shape, ensuring the quality and integrity of these institutions and their programs continues to be a paramount concern, and historically the primary responsibility of accrediting agencies and the schools they accredit. Unlike federal and state governments, accrediting agencies are private, independent entities, focused on establishing standards and assessing their member institutions in relation to those standards on a peer-review basis and as such are the best resource for making determinations related to educational quality. As NACIQI is keenly aware, despite the independent, private nature of accreditation, accrediting agencies have been linked to federal spending in higher education for over 50 years. In this regard, accreditation has played an essential role in institutional and programmatic quality assurance and has served as a critical component of the regulatory triad in partnership with federal and state governments for the regulatory oversight of higher education institutions.

The Criteria for Recognition of Accrediting Agencies under 34 CFR Part 602, which are statutorily mandated under Section 496 of the Higher Education Act, reinforce these shared gate-keeping responsibilities by requiring communication and collaboration among the triad partners. For example, accrediting agencies are required to inform the states, the Department, other accrediting agencies and the public when an institution receives accreditation, is placed on probation, or has accreditation denied or withdrawn (34 CFR §602.26). Accrediting agencies are required to respond to information requests from the states and the Department about institutions they accredit that may bear on their compliance with state or Department of Education regulations (34 CFR §602.27(f)). Accrediting agencies have a number of monitoring and reporting obligations under the federal recognition criteria, including, among other requirements, reporting an institution's failure to meet federal student aid program responsibilities (34 CFR Section §602.26). In addition, accrediting agencies are expected to take into account the decisions of states and other accrediting agencies in their own decision-making (34 CFR Section §602.28) and to cooperate with the states and the Department whenever an institution or program closes and students need assistance in continuing their education (34 CFR §602.24(c)(3)). The point here is that the oversight of higher education as set forth in current law and regulation is a shared responsibility and each member of the regulatory triad has an essential role to play in the oversight of institutions.

### **The Future Path**

While ACCSC strongly urges the maintenance of the statutory triad structure for Title IV institutional eligibility purposes, ACCSC also acknowledges there is much room for improvement. Thus, ACCSC supports several of the sub-options put forth by NACIQI to enhance the triad's quality assurance methods. Chief among those include:

- Clarifying and articulating common understandings about the responsibilities of each member of the triad and setting clear expectations for each;
- Developing a set of consistent definitions and appropriate metrics for use in the accreditation process – with a particular focus on student outcomes;
- Coordinating increased communication among actors in order to achieve greater commonality across the quality assurance/eligibility enterprise (ACCSC recognizes that increased communication among the members of the triad would promote efficient identification of common concerns and shareable data);
- Assigning the financial issues—compliance, stability, viability, and so forth—exclusively to the federal level, reducing that burden on accreditors;
- Assigning the more risky, litigation-prone elements of the gate-keeping function to a different quarter (e.g., a more independent entity or process created by accreditors collectively) or providing resources and/or indemnification to accreditors to reduce the legal risk and burden;
- Promoting and increasing consistency in the state's engagement with consumer protection and investigation, whether within or outside the processes of accreditation;
- Focusing accreditor activity on indicators of program success and quality improvement;

- Promoting greater transparency in order to ensure that that data collected for accreditation by accrediting agencies are made available to the public by both the institution and the accrediting agency in a format that is consistent, meaningful, and perhaps prescribed. We agree that this is a reasonable goal in order to assist students and the general public in making accurate comparisons based on facts; and
- Focusing accreditors on performance indicators and student outcomes to ensure that recognized accreditors employ an accountability based model that:
  1. Requires institutions to report on student achievement in categories such as student learning, student assessment, and student achievement outcomes (i.e., rates of student graduation and graduate employment or employability) and
  2. Allows accreditors to engage in ongoing and interim monitoring throughout an institution's grant of accreditation.

In conclusion, ACCSC is keenly aware of the important role that accreditation plays as a gate-keeping entity in the triad and the impact that role has on ensuring the reliability of our nation's current higher education oversight system. ACCSC also recognizes that accreditation has room for enhancement and improvement, as do the other triad members, and that working together in partnership we can strengthen our respective roles while retaining the positive qualities of accreditation and the expertise that peer-review captures and delivers.

Respectfully submitted,



Michale S. McComis, Ed.D.  
Executive Director  
ACCSC