Council for
Higher Education
Accreditation

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The Honorable Tom Harkin
Chair, Committee on Health, Education, Labor and Pensions
United States Senate
731 Hart Senate Office Building
Washington, DC 20510

Dear Senator Harkin:

On June 25, 2014, the Committee on Health, Education, Labor and Pensions released a discussion draft of the "Higher Education Affordability Act" to reauthorize the Higher Education Act and solicited comments and recommendations. While the discussion draft covers a wide range of higher education-related topics, the undersigned organizations write to provide the following suggestions on provisions directly addressing accreditation.

The accreditation community is keenly aware of the challenges to be met in the current climate for higher education. We understand and agree with the need for accountability. The pivotal role higher education plays in society puts a spotlight on the importance of greater transparency and accountability for academic quality. Such accountability is particularly vital in light of the federal investment in higher education through student aid and other funding, with accrediting organizations serving as gatekeepers for the availability of such funds to higher education institutions and programs.

The country has long valued the work of accrediting organizations for assuring academic quality. The accreditation community is committed to sustaining the strength and effectiveness of U.S. higher education. The community has been increasingly transparent while assuring and improving quality and remaining responsive to the demands of a changing society. We urge that any changes to the law and regulation governing accreditation be designed to clarify and strengthen accreditation's primary role of overseeing academic quality, rather than adding new requirements that may have the unintended effect of lessening that focus on quality and improvement.

With this in mind the undersigned provide the following comments.

1) Section 497 of the discussion draft calls for the public disclosure of a number of accreditation documents including self-studies by institutions, accreditation team reports, internal accreditor documents and action letters by accrediting organizations. It is important to consider making specific information, perhaps the action letters from accreditors, publicly available. However, public disclosure of additional documents seems excessive and may harm the valuable candor between institutions and their accreditors. Current experience gives little evidence that the public reviews the accreditation documents made available by institutions.

2) Section 497 (9) prohibits an accrediting organization from requiring that institutions compel students to enter into pre-dispute arbitration agreements with the institution to resolve disputes. At present, we do not know of any accreditor that requires institutions and students to enter into this type of agreement. As a result, this provision is confusing and should be removed from this section of the discussion draft.

3) Section 498A (2) requires mandatory reviews by the U.S. Department of Education (USDE) triggered by a number of conditions. In the case of accreditation actions, mandatory reviews are required if an institution is placed on probation or show cause. There are current regulations that require disclosure to USDE when an accreditor takes these actions. We believe that such mandatory reviews based on such accreditation triggers would be unnecessary and unwise. Institutions on probation need to focus on correcting issues and problems, not preparing for a USDE review. Many institutions that have been placed on probation or show cause have resolved the issues of concern while working with their accreditor, all to the benefit of students. In addition to being an unnecessary and redundant expenditure of time and effort, a mandatory review by USDE will not resolve issues related to probation or show cause.

4) In Section 1101, an institution is required to have the programmatic or specialized accreditation necessary for a student to qualify for a licensing exam based on where the student resides. The requirement as written will likely mean that institutions stop teaching certain students and deny admission to some out of state or distance education students. This will limit academic choices for students.

Accreditation makes a significant contribution to our society. This reauthorization of the Higher Education Act provides the opportunity to strengthen that contribution going forward by assuring that the law and regulation support accreditation's focus on academic quality.

Thank you for the opportunity to provide comment to the Committee concerning this discussion draft and its accreditation-related provisions. We look forward to working together with you as the reauthorization process proceeds.

Sincerely,

Judith Eaton
President

On behalf of:
Accreditation Council for Pharmacy Education
Accrediting Bureau of Health Education Schools

Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges
Accrediting Commission of Career Schools and College
Accrediting Council for Continuing Education and Training
Accrediting Council for Independent Colleges and Schools
Accrediting Council on Education in Journalism and Mass Communications
American Board of Funeral Service Education
Association for Biblical Higher Education
Association of Advanced Rabbinical and Talmudic Schools
Association of Theological Schools in the United States and Canada Commission on Accrediting
Aviation Accreditation Board International
Council for Accreditation of Counseling and Related Educational Programs
Council for Higher Education Accreditation
Council on Accreditation of Parks, Recreation, Tourism, and Related Professions
Council on Naturopathic Medical Education
Council of Regional Accrediting Commissions
Council on Rehabilitation Education
Council on Social Work Education
Distance Education and Training Council
Higher Learning Commission, A Commission of the North Central Association
Joint Review Committee on Education in Radiologic Technology
Middle States Commission on Higher Education
National Accrediting Agency for Clinical Laboratory Sciences
New England Association of Schools and Colleges Commission on Institutions of Higher Education
Southern Association of Colleges and Schools Commission on Colleges
The American Culinary Federation Education Foundation's Accrediting Commission
WASC Senior College and University Commission