



April 24, 2015

The Honorable Lamar Alexander
Chairman
U.S. Senate Committee on Health, Education, Labor and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Alexander:

The Association of Public and Land-grant Universities (APLU) and the American Association of State Colleges and Universities (AASCU) greatly appreciate your interest in seeking the community's feedback on your recent Higher Education Act white papers. As such, we submit the following comments and recommendations for your consideration on the paper, *Higher Education Accreditation Concepts and Proposals*.

Congress Should Clarify the Roles of Accreditation and the Department

Accreditation has been a cornerstone of the American higher education system for both institutional self-examination and peer-review. It is one of the safeguards to help ensure an institution is providing a quality educational experience and therefore eligible to participate in the Title IV system. As such, we feel strongly that accreditation should not be delinked from eligibility for federal financial aid. Without the inclusion of an accreditation element, it is difficult to envision an alternative system to help ensure academic quality.

However, there has been growing confusion about the respective roles of accreditation and the U.S. Department of Education's determinations of institutional eligibility for federal student aid programs. While accreditors have served well in the role of ensuring academic standards for quality as appropriate to institutional mission are met, they have been unduly tasked with acting as an enforcement arm for Title IV eligibility -- a role in which they have not performed well and are not equipped to perform. The U.S. Department of Education rightfully has institutional examination and enforcement power that the accrediting agencies do not. For example, the Department's legal authorities such as the powers of subpoena make it, in connection with the U.S. Department of Justice, the frontline party to deal with possible fraud and misrepresentation. Unfortunately, the Department has not fulfilled that role.

We propose accrediting agencies focus on institutional quality and that the Education Department -- armed with higher standards and some new tools -- undertake a more

rigorous review to determine which institutions should be eligible to award federal student aid. Congress should carefully update the law to give more direction and clarity to these departmental functions.

Congress Should Direct Accreditors to Offer Tiered or Expedited Accreditation Reviews

Not all institutions pose the same level of risk in terms of academic quality and the need to improve. We concur with others in the higher education community that call for the consideration of differentiated levels of review based on the level of institutional risk. This could be achieved either through having differential procedures or a two-phased process where every institution would adhere to a first level of review and those institutions with a history of concern or with additional flags would require a second and more thorough level of review.

The current law does not preclude accreditors from varying their application of review procedures based on characteristics of institutions, but the current regulations are more constraining. It would be helpful for an HEA reauthorization bill to include language directing accreditors to design and implement such a multi-phased or risk-based accreditation review system. Such an approach would allow accreditors to focus their efforts on institutions that present the greatest potential risk and, at the same time, decrease some of the current burden and costs for institutions that can offer concise, consistent, and convincing evidence of quality.

Congress Should Repeal Standards and Regulations Unrelated to Institutional Quality

As noted in the paper, accreditors have been tasked with assessing institutional compliance with a growing list of federally mandated requirements unrelated to direct academic matters. This includes those related to fire and safety codes and facilities and equipment. Accreditors do not have the expertise, nor should they, to focus on assessments unrelated to academic quality and improvement. In many cases, reviews of these elements are duplicative of activities that should be conducted by other entities.

Congress Should Mandate the Public Disclosure of Final Accreditation Documents

The paper rightfully acknowledges that students, families, and policymakers want more information about an institution's academic quality than the simple stamp of having been "accredited". While the paper proposes the idea of assigning levels and gradations of accreditation to an institution, setting such distinctions would likely prove very complicated and potentially become politicized. However, we support the public disclosure of *final, but not preliminary*, accreditation review documents and reports, which will help offer greater transparency concerning the quality of an institution.

Congress Should Not Restructure Accreditation without Having Defined Benefits

We do not find sufficient reasons for Congress to change regional accreditation. We understand the interest in simplifying the accreditation agencies structure. But there is some value in the current system in having peer review from institutions with varying missions and sectors, and we believe that a sector approach would, in time, have its own problems. The advantages and efficiency gain of a simplified agency have not been argued

persuasively, and there are significant costs implied by a major restructuring. There is little to be gained by change merely for change's sake.

We appreciate the opportunity to provide feedback and look forward to working with you and your colleagues as this important reauthorization moves forward. Please feel free to contact us with any questions.

Sincerely,



Peter McPherson
President, APLU



Muriel A. Howard
President, AASCU