

Council for Higher Education Accreditation
One Dupont Circle NW, Suite 510
Washington, DC 20036

Re: Proposed Revisions of the 2010 Recognition Policy and Procedures

September 4, 2018

Dear Members of the CHEA Board of Directors,

Thank you for the opportunity to comment on proposed revisions to the 2010 Recognition Policy and Procedures. This comment is submitted on behalf of the Center for American Progress' postsecondary education team.

Accreditation is an important quality control providing a safeguard for the nation's students and taxpayers. As the primary national voice for accreditation and quality assurance and the only organization aside from the U.S. Department of Education to recognize quality accrediting agencies, strong standards ensuring quality in higher education are essential. We applaud CHEA's efforts to improve its standards by increasing its focus on student achievement, transparency, and enforcement as well as its effort to curb continuous deferrals on recognition decisions in its revised standards. While these improvements are welcomed and should be maintained, there is still room for improvement to ensure accreditors themselves are fulfilling their role. We would like to submit the following comments on proposed changes and make recommendations on how standards could be further improved for your consideration.

1. Deferral of Action on Recognition

Limiting recognition decisions to only one deferral is a welcome change that has been a significant problem allowing the Board to continuously punt on decisions and enabling troubled accrediting agencies to maintain recognition when it is not clear they meet CHEA standards. Continuous deferrals have been to the detriment of students. For example, CHEA last recognized the Accrediting Council of Independent Colleges and Schools (ACICS) in 2012 and has deferred on its re-recognition at least four times, failing to come to a decision at a time when the agency lost federal recognition because it was significantly out of compliance with federal standards.¹

¹ Council for Higher Education Accreditation, 2017. Recognition Decision Summary for the Accrediting Council for Independent Colleges and Schools. Available at <https://www.chea.org/userfiles/Recognition/ACICS.pdf>.

CHEA recognition has far-reaching implications and benefits to recognized agencies that are not federally recognized and the institutions they oversee, including the ability to maintain state recognition and meet programmatic accreditation standards. ACICS has used its CHEA recognition to its benefit when it submitted an application for recognition to the Department of Education in late 2017.² Federal standards for recognition require that an agency demonstrate that it has wide acceptance from (1) educators and educational institutions and (2) licensing bodies, practitioners, and employers. Letters submitted as part of its application to show it has wide acceptance from state agencies, programmatic accreditors, and even CHEA itself were all based on the single fact that ACICS is CHEA recognized even though CHEA failed to make a decision on whether it meets CHEA standards.³ In other words, CHEA's failure to make a decision on ACICS has enabled the agency absent any evidence and despite concerns by CHEA's own board about the agency's ability to meet CHEA standards.

Recommendations

- As part of this change to its standards, CHEA should add that agencies already deferred in their current recognition cycle are not eligible for an additional deferral pending a decision from CHEA's board.
- CHEA should not continue to delay and rule quickly on a decision of whether ACICS and any other outstanding agencies meet CHEA standards.

2. Student Achievement

We applaud CHEA's effort to put student achievement at the center of accreditation judgements and place a greater emphasis on student achievement throughout its recognition policy. This includes by calling for the use of reliable data and external verification of data as part of these processes and detailing that effective performance includes evidence of completion, graduation, retention, and success with transfer and post-school outcomes. How students fare should be at the center of accreditation decisions. And while the overwhelming majority of accrediting agencies are collecting student outcomes data each year, standards vary dramatically, and too many do not consider student achievement enough in their accreditation decisions or recommendations

² Ben Miller and Antoinette Flores, 2018. Comment on application for recognition by the Accrediting Council for Independent Colleges and Schools. Available at <https://cdn.americanprogress.org/content/uploads/2018/03/08101157/Center-for-American-Progress-ACICS-Comment5b15d.pdf>

³ Judith Eaton, 2017. Letter from Judith Eaton to Michelle Edwards submitted as Exhibit O in ACICS petition for recognition to the Department of Education. Available at https://drive.google.com/file/d/1lPXgn8J23PSEN2ZEyoB_1asvB8HBv7T2/view

for improvement.⁴ The following recommendations would further improve CHEA's proposed standards.

Recommendations

- CHEA should move the language from the background (Paragraph 6 (lines 49-61)) that accreditation decisions should be based principally on the performance of institutions in relation to student achievement into its revised standards. This includes language on the use of reliable data and external verification of data as part of the process. These worthwhile goals are not clearly stated or included in the revised standards an agency must meet.
- Likewise, CHEA should move the language from the background (Bullet 1 (lines 63-71)) that a CHEA-recognized accrediting organization awards accredited status only for institutions or programs that demonstrate effective performance, including measures of completion, graduation, retention, success with academic transfer and post-school outcomes into the standards themselves. This is mentioned in the background section but not adequately included in the revised standards.
- CHEA should require that accrediting agencies have clear performance benchmarks. Proposed Standard Two requires that accrediting agencies provide a procedure and take timely action to prevent substantially underperforming institutions or programs from achieving or maintaining accredited status and that the procedure includes application of indicators to determine weaknesses. If accrediting agencies are to base accrediting decisions primarily on student achievement as stated in the background section, accrediting agencies cannot take timely action against underperforming institutions without establishing clear performance benchmarks that define what an acceptable level of performance is. These benchmarks can vary by institutional type and mission.
- Include equity as a measure of student achievement and data collection. Where agencies are collecting reliable data, they should ensure the data is disaggregated by student demographics such as race and ethnicity, income, and gender. All accrediting agencies should be ensuring equity in the institutions and programs they oversee to guarantee that all students are being well-served.

3. Transparency

Standards requiring accrediting agencies to be transparent about accrediting decisions and the reasons why actions are taken is an important change. Students and the public should

⁴ Antoinette Flores, 2018. How College Accreditors Miss the Mark on Student Outcomes. Available at <https://www.americanprogress.org/issues/education-postsecondary/reports/2018/04/25/449937/college-accreditors-miss-mark-student-outcomes/>.

not be kept in the dark when a college or program is not performing up to standard. Transparency about accrediting decisions and the reasons why an agency takes action was encouraged by the Department of Education in 2016. However, despite that guidance, too many agencies are not providing adequate public information when they take action and all too often, the information is difficult to find. Agencies should post this information in an easily accessible way in their institutional directories.

But transparency into accreditor actions and decisions is only one part of the reform that is needed. Accreditors are inconsistent in the language they use on sanctions making it difficult to translate the seriousness of actions. For example, some agencies use probation as the final step before an institution loses accreditation, some use show cause as the final step. Some agencies only use one term or the other.⁵ Second, even though an agency itself may be transparent about the actions and decisions it takes, it may not require the institution to be transparent about the actions taken against it. For example, when HLC puts a college on financial monitoring, it does not require the college to publicly report the action unless they provide any new information on their accreditation status.⁶ This has resulted in students at numerous colleges with financial problems being kept in the dark until the college announced plans for closure or made other dramatic changes to address its financial troubles even though the accreditor had long been aware. Third, CHEA itself could be more transparent in its recognition process. Although CHEA has standards calling for third-party comment in recognition decisions, these meetings have not been well-publicized if at all. Additionally, CHEA has not been particularly clear about the reasons why it makes a recognition decision or detailing the concerns about agencies it has deferred. Changes to this iteration clarifying where CHEA will post public notices about recognition decisions, institutional announcements, and third-party comments are all positive changes to increase transparency. The following recommendations would help further improve CHEA standards.

Recommendations

- CHEA should set standard terms for actions taken. Clear terms and definitions could help students and the public understand the seriousness and implications of an action taken. This could help clarify differences and standardize action terms such as monitoring, warning, notice, probation, and show cause.

⁵ Antoinette Flores, 2016. Watching the Watchdogs: A Look at What Happens When Accreditors Sanction Colleges. Available at <https://cdn.americanprogress.org/wp-content/uploads/2016/06/16111301/AccreditorActions-report.pdf>.

⁶ Antoinette Flores, 2017. A Reply-All Email Error Reveals Problems in College Transparency. Available at <https://www.americanprogress.org/issues/education-postsecondary/news/2017/05/19/432709/reply-email-error-reveals-problems-college-transparency/>.

- Require that institutions and programs of CHEA-recognized agencies publicly disclose their accreditation status and any actions against it so that current and prospective students are not blindsided by problems.
- CHEA should be more transparent about its recognition procedures, open public comment periods on agencies up for review, provide reasons for its own actions, and should post alerts when it makes a decision.

4. Accountability and Enforcement

We commend CHEA for its focus on accountability and performance. In particular, we support the requirement that accreditor standards provide a procedure for the agency to take timely action to prevent underperforming institutions from achieving or maintaining accredited status. This also includes the provision allowing the CHEA Board to review an agency at any time there is evidence of ongoing deficient performance. However, CHEA could improve these changes by requiring that agency standards define underperformance on student outcomes. Second, it could improve by defining deficient performance requiring CHEA review to include any time there is evidence of misrepresentation or an occurrence of state or federal lawsuits or investigations against an institution. The following recommendations would help improve CHEA standards:

Recommendations

- As mentioned earlier, CHEA should require agencies to have standards defining acceptable performance, particularly on student achievement. CHEA cannot know that an agency is taking action on underperforming institutions unless the agency first defines acceptable performance.
- CHEA should require agencies to have standards on the specific actions it will take when there is evidence an institution has misrepresented itself to students and when there are state or federal investigations or lawsuits against an institution.
- CHEA should add evidence that an institution has misrepresented itself to students and the presence of state or federal investigations or lawsuits as part of its definition of deficient performance requiring review by the CHEA Board.

Thank you again for the ability to offer public comment. If you have questions or concerns, please contact Antoinette Flores at aflores@americanprogress.org.