



Middle States  
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Higher  
Education

The Commission  
on  
Institutions of  
Higher  
Education,  
New England  
Association  
of Schools and  
Colleges

Higher Learning  
Commission of  
the North Central  
Association of  
Colleges and  
Schools

Northwest  
Commission  
on Colleges and  
Universities

Commission on  
Colleges of the  
Southern  
Association of  
Colleges  
and Schools

Accrediting

May 1, 2007

Dear Institutional President or Chancellor:

As you know, the U.S. Department of Education has convened a team of negotiators to rewrite the current federal regulations governing the recognition of accrediting agencies. Departmental recognition enables the institutions of higher education that an agency accredits to establish eligibility to participate in Title IV programs. I am writing to update you on key issues related to the new accreditation regulations proposed by the Department of Education during these negotiations.

Representatives from the regional accrediting bodies have negotiated in good faith but, along with all the non-federal negotiators, were unable to come to consensus during a third session. The Department has agreed to conduct a fourth and final session in a few weeks at which time it will seek consensus on the “total package” of negotiated changes. Without such agreement, which for past administrations has been binding for its publication seeking public comments on the regulations, the Department may revert to its original version of the regulations which place more responsibility on institutional accreditors to approve and monitor institutional performance in a number of areas.

In negotiations, the Council of Regional Accrediting Commissions (CRAC) has adhered to five key principles:

1. Any definition of educational outcomes or performance levels should be set by institutions, not by accreditors or the Department of Education.
2. Performance should be evaluated by multiple indicators, not by “bright lines” using a single measure.
3. Regional accreditation should assess performance at the institutional level, not programmatic level.
4. Comparisons of outcomes should be undertaken by institutions, where appropriate, and should not be mandated by the Department of Education or accreditors.
5. Any new regulation should be able to be implemented without significant new burden on institutions.

CRAC has negotiated on the premise that we should accept reasonable changes that address public concerns about accountability, transparency, and transfer of credit. However, insofar as the

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proposed new regulations will increase responsibilities for institutions and accrediting agencies and have implications for institutional capacity and resources, we are turning to you for feedback. Even though there were numerous items discussed during negotiations, below is a description of the proposed changes that we think will have the greatest impact on your institution. The full text of these proposed regulations can be accessed on the [DOE web site](#).

**Standards for Student Achievement** (Section 602.16 (a)(1)(i) (*Attached are the two most recent versions of the Department's proposed language.*)

*Current Proposal:* The proposed regulations require agencies to have standards that (1) expect an institution to specify its goals for student achievement, establish expected levels of performance, and demonstrate performance against expected levels of performance using quantitative and qualitative evidence, including, as appropriate, external indicators; and (2) expect institutions with pre-baccalaureate vocational programs and degree programs leading to initial professional licensure or certification to demonstrate levels of performance by providing completion rates, job placement rates, and either pass rates on State licensing examinations, as applicable, or other measures of occupational occupancy. In addition, the proposed regulations expect an accrediting agency to demonstrate that its standards and processes allow it (1) to evaluate the acceptability of evidence supporting an institution's performance and (2) to evaluate an institution's expected level of performance taking into account externally-set performance measures or criteria. Institutional accreditors may consider this information "in the aggregate," rather than reviewing individual vocational or degree programs.

*Previous Proposals:* Previous iterations of regulations proposed by the Department required accrediting agencies (1) to set "bright line indicators" of programmatic performance and (2) to establish minimum quantitative standards for completion rates, job placement rates, and pass rates on licensing and professional certification exams for pre-baccalaureate vocational programs and for baccalaureate and professional degree programs leading to initial professional licensure or certification.

**Standards for the Transfer of Credit** (Section 602.16(a)(1)(vii))

*Current Proposal:* The proposed regulations require agencies to have standards on admissions that expect an institution (1) to stipulate that decisions about acceptance of transfer credit are not made *solely* on the source of accreditation of a sending institution or program and (2) to disclose their policies concerning transfer of credit and acceptance of credentials to prospective students. This is a *new* regulation and there is no previous federal legislation requiring accreditors to examine transfer of credit. All regional accreditors currently have policy or standards that require these things.

*Previous Proposal:* Previous proposed regulations required accreditors to audit institutional decisions on transfer of credit.

## **Other Proposals of Interest for Institutions**

The issues identified above are those with proposed changes that may have the greatest impact on your institutions. However, there are four other issues that you may want to examine more closely as you prepare comments on the proposals.

*Substantive Change* (Section 602.22 (a), (b), (c), (d)). The proposed regulations (1) clarify the change in the scope of academic offerings that would require a substantive change review, (2) create a limited time period for an agency to grant prior approval for the addition of multiple locations, and (3) require an agency to define when institutional changes are extensive to the degree that a comprehensive evaluation of the institution is required.

*Monitoring Institutions* (Section 602.19). The proposed regulations expect an agency to (1) require periodic reports and conduct special evaluations as necessary, (2) regularly collect and analyze information on key performance indicators, and (3) apply a set of monitoring and reevaluation approaches that enable the agency to identify potential problems with an institution's continued compliance with standards and to take into account institutional strengths and stability. (Not yet discussed)

*Consideration of Mission in the Application of Standards* (Section 602.17). The proposed regulations add a provision requiring an accrediting agency to demonstrate that it applies its standards in a manner that does not undermine the stated religious mission of any institution of higher education.

*Public Disclosure* (Section 602.16(a)(1)(vii)(B)). The proposed regulation expects an accrediting agency to require its institutions to publish information related to an institution's effectiveness in fulfilling its mission, especially indicators for student achievement. (Not yet discussed)

CRAC is sending you this information on behalf of each of the regional accrediting commissions. Regional accreditation is conducted through peer evaluation, and the regional commissions recognize that the leaders of member institutions have an important role to play in the outcome of the final regulations. Please contact the Executive of your regional accrediting commission with your comments on these proposed regulations.

Sincerely,



Barbara A. Beno, Chair  
CRAC

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