



December 4, 2015

The Honorable Arne Duncan
Secretary, U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Duncan:

We write to thank you for your recent executive action that directed Department staff to ensure accreditors understand that they can apply risk-based/differential practices in their review of post-secondary institutions.

As you know, the Association of Public and Land-grant Universities (APLU), American Council on Education (ACE), and Association of American Universities (AAU) strongly support differential accreditation, which would allow institutions with a consistent record of strong academic programs to go through a less burdensome review process than institutions with a less proven track record and weaker outcomes. We respectfully request the opportunity to meet with you or other senior leaders at the Department to discuss how we can help ensure accreditors swiftly begin to use a differential approach.

The accreditation process is important. However, it can be long, arduous, expensive, and complicated even for institutions with stellar records of student success, as it requires an extraordinary amount of staff time that pulls senior administrators away from other important responsibilities on campus. It is also wasteful for strong academic institutions to go through the same extensive process each time when there is virtually no doubt the institution will be reaccredited. Because the current process requires accreditors to treat all institutions the same and spend equal amounts of time on all institutions regardless of performance, that necessarily limits the time accreditors can focus on institutions with weaker outcomes that actually need greater oversight. Indeed, it is important to keep in mind that some institutions with low records of student success actually may need to be reviewed more closely.

Earlier this year, our three associations sought an independent legal analysis to determine whether the Department had the authority to implement differential accreditation on its own. The analysis, which is attached, was conducted by the law firm, Hogan Lovells. It found that there was nothing in federal law that precluded the Department from taking such action. We were pleased that Department staff found this memo useful when we shared it with them earlier this year and hope that it contributed to your recent executive action.

To be clear, all institutions should go through the accreditation process, but the process could be less intensive for consistently strong performers. We recognize some details on a differential accreditation process need to be worked out, including how to define high level outcomes. That is why we hope to have the opportunity to work with you and your team to develop a plan to ensure this new approach is quickly and fairly implemented.

Sincerely,



Molly Corbett Broad



Peter McPherson



Hunter Rawlings

CC: John B. King, Jr., Senior Advisor Delegated Duties of Deputy Secretary of Education
Ted Mitchell, Under Secretary of Education