



# ASSOCIATION OF AMERICAN UNIVERSITIES

April 24, 2015

The Honorable Lamar Alexander  
Senate Health, Education, Labor and Pensions Committee  
428 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Alexander:

Thank you for soliciting views from the public as you and your colleagues prepare to reauthorize the Higher Education Act (HEA). The Association of American Universities (AAU), a nonprofit association of 60 leading U.S. public and private research universities, offers the following views on your *Higher Education Accreditation Concepts and Proposals Paper*.

The concept paper developed by your staff identifies many of the key issues facing accreditation today, including issues related to quality, innovation, and cost. AAU supports several of the potential solutions to strengthen accreditation, especially the proposals to: 1) repeal accreditation-related regulations and statutes that are unrelated to direct institutional quality and improvement; and 2) provide explicit authority to accreditors to establish risk-adjusted or differentiated reviews. Thank you for including these important proposals in the paper.

The comments below address key issues of concern to AAU, identified by the sections of the paper in which they are discussed.

## General Comment

Accreditation performs a critical role in U.S. higher education. AAU and its member universities are committed to the highest standards of educational quality and to continuous improvement. Though imperfect, accreditation can be a valuable process by which the quality of higher education is, and should continue to be, evaluated. If properly executed, the process facilitates rigorous self-review and peer-review to ensure and improve both the academic quality and the public accountability of an institution's eligibility for federal financial aid.

Accreditation should be reformed, not dismantled. While AAU members report many positive interactions and outcomes through the accreditation process, accreditation can and should be reformed in ways that more effectively curb fraud and abuse, and crack down on poor performing institutions without infringing on the academic freedom and autonomy of institutions with a proven record of success. The federal government's role in accreditation must remain appropriately and carefully circumscribed to allow accreditation to serve as both a process to foster strong educational quality and innovation and to signal clearly to the public that accredited institutions are achieving their educational missions. We strongly believe that the critical elements of accreditation,

Boston University  
Brandeis University  
Brown University  
California Institute of Technology  
Carnegie Mellon University  
Case Western Reserve University  
Columbia University  
Cornell University  
Duke University  
Emory University  
Georgia Institute of Technology  
Harvard University  
Indiana University  
Iowa State University  
The Johns Hopkins University  
Massachusetts Institute of Technology  
McGill University  
Michigan State University  
New York University  
Northwestern University  
The Ohio State University  
The Pennsylvania State University  
Princeton University  
Purdue University  
Rice University  
Rutgers, The State University  
of New Jersey  
Stanford University  
Stony Brook University –  
State University of New York  
Texas A&M University  
Tulane University  
University at Buffalo –  
State University of New York  
The University of Arizona  
University of California, Berkeley  
University of California, Davis  
University of California, Irvine  
University of California, Los Angeles  
University of California, San Diego  
University of California, Santa  
Barbara  
The University of Chicago  
University of Colorado, Boulder  
University of Florida  
University of Illinois, Urbana-  
Champaign  
The University of Iowa  
The University of Kansas  
University of Maryland, College Park  
University of Michigan  
University of Minnesota, Twin Cities  
University of Missouri, Columbia  
The University of North Carolina at  
Chapel Hill  
University of Oregon  
University of Pennsylvania  
University of Pittsburgh  
University of Rochester  
University of Southern California  
The University of Texas at Austin  
University of Toronto  
University of Virginia  
University of Washington  
University of Wisconsin - Madison  
Vanderbilt University  
Washington University in St. Louis  
Yale University

especially the peer-review and academic judgments and evaluations inherent in the self-study process, should remain non-governmental.

The accreditation process is designed to be largely a complementary one. The federal government (Department of Education) should focus on financial integrity and stability issues (primarily non-academic compliance issues), and accreditors—as non-federal entities—have responsibility for academic evaluation as a tool for determining quality, allowing for informed academic judgment. The Concept Paper raises the issue of inappropriate government involvement in accreditation as the basis for delinking accreditation and eligibility for federal student aid. We believe the differentiation of governmental and non-governmental roles in accreditation appropriately addresses the problem, while still maintaining the eligibility link.

## **Current Issues**

### **Accreditation and Educational Quality**

AAU supports a system in which all institutions, working with their institutional accreditors, are expected to provide evidence of student success.

Colleges and universities have a fundamental responsibility to demonstrate the quality of their educational programs, but the methods used to assess quality will differ depending on the mission of the institution. As stated in the HEA statute, accreditors are responsible for ensuring that institutions measure success with respect to student achievement in relation to an institution's mission. While all institutions should be expected to provide evidence of success, we do not support the Department or accreditors mandating specified quantitative general assessment measures as part of any focus on "student learning and student outcomes." As cited in the Concept Paper, the accreditation gatekeeping role has, at times, given accreditors authority and leverage to be overly prescriptive at the expense of institutional autonomy.

A 2012 survey of AAU members showed that while efforts to assess and improve undergraduate student learning are expanding, few AAU members use standardized tests because: 1) the tests do not correspond to appropriate learning outcomes for their institutions or programs; 2) the tests do not assist in improving learning, and 3) the tests have methodological and logistical drawbacks. For these reasons, we regard the analyses of Josipa Roksa and Richard Arum as seriously flawed.

AAU members, however, use a wide range of methods (quantitative and qualitative) to assess and improve learning, all of which are discipline-specific, program-level assessments that are faculty-driven, rather than standardized.

AAU led an effort of the six major presidential higher education associations and the seven regional accreditors in July 2013 that culminated in a consensus statement *Principles for Effective Assessment of Student Achievement* (attached). These principles state that while the exact criteria for assessing student achievement and the methods for measuring them will differ, all institutions should be expected to provide evidence of success in three areas:

1. evidence of student learning experience (institutions should be able to describe the kinds of experiences students have inside and outside the classroom),
2. evaluation of student academic performance by measures determined by the institution, and
3. post-graduation outcomes (e.g. completion, job placement, post-graduate study, civic participation, etc.).

Importantly, an institution should be able to determine which instrument(s) it will use to measure progress in these areas. We believe that measures of all kinds work best when they are:

- integrated into the teaching and administration of colleges and universities,
- closely linked to the students' curricula, and
- analyzed on a regular basis.

We strongly believe the current HEA statute prohibiting the federal government from regulating on student achievement standards should remain in place as Congress reauthorizes the HEA. Moreover, we believe that the current provision requiring accreditors to have standards that assess success with respect to student achievement should *not* be interpreted as a mandate for institutions to adopt specified quantitative general assessment measures.

### **Accreditation and Innovation and Competition**

Accreditation does not constitute an inherent barrier to innovation in educational practice. Appropriately applied, accreditation not only assures the quality of educational innovations, it can also foster them. We agree that more work needs to be done to accommodate new and nontraditional education providers, and we encourage accreditors and the higher education community to think about new procedures for addressing educational quality in these new forms of educational delivery. Many AAU institutions are leading the way in offering students more flexibility through curricula that will include a combination of face-to-face instruction, blended courses, and distance education. These institutions are encouraging their faculty to experiment with course delivery methods and materials to determine what is most effective. For example, some faculty members are now using content created for MOOCs in blended courses on campus. The landscape is changing and accreditation can and should keep up with these changes.

We do not recommend authorizing states to enter into agreements with the Secretary of Education to develop accreditation agencies for nontraditional providers. Similarly, we do not support proposals such as the one offered by Senator Mike Lee to allow states to set up their own alternative accrediting systems and decouple accreditation from Title IV student aid eligibility.

The Department of Education may be responsible, however unintentionally, for creating roadblocks to innovation. While the agency publicly encourages the development of new programs that are relevant to consumer and market needs, the applications to launch these programs can languish for months at the Department even after they have been approved by accrediting agencies. Even more problematic, the Department does not allow institutions to submit more than one new program request at a time, so one new pending program application creates a complete bottleneck.

As part of reauthorization, we encourage the Committee to develop a comprehensive list of barriers to educational innovation, identify the most serious, and find ways to alleviate them. Assuming that a single actor or policy is responsible for limiting innovations means that proposed solutions will only fall short.

### **Accreditation and Cost**

The federal government should avoid drifting into a system in which the cost of data collection and reporting requirements for accreditation greatly exceed the benefits to students, institutions, and the public. In the last decade, accreditation reviews at many AAU institutions have become increasingly

onerous and time-consuming for senior administrators, faculty, institutional researchers, and information technology officials. Moreover, accreditation reviews are costly – some reviews have been in excess of \$1 million, as cited in the Concept Paper. In some cases, accreditors, in responding to regulations, guidance, or sub-guidance issued by the Department of Education, are forced to revise their procedures in ways that result in confusion and even more bureaucracy. This, in turn, impairs the ability of institutions to provide high quality programs that fit their unique mission. Institutions are often subject to varying interpretations and compliance requirements as regional accreditation staff try to decipher regulations and sub-regulatory guidance.

Additionally, as cited in the Concept Paper, the data collection from specialized and regional accreditors can add undue burden on institutions because each is requesting different volumes and types of data. While there are clear limitations on how much standardization can be achieved, the Committee could review standards and requirements with the goal of better alignment. While programmatic accreditors may have unique responsibilities related to their professional purviews, such as state licensure requirements, in areas of overlapping standards, programmatic accrediting bodies should accept evidence of compliance from regional accrediting agencies and narrow the scope of their reviews accordingly.

## **Reform Proposals**

### **Proposal #1 to repeal accreditation-related regulations and statutes that are unrelated to direct institutional quality and improvement**

We agree with Proposal #1 to repeal accreditation-related regulations and statutes that are unrelated to direct institutional quality and improvement. We support the premise that well-intentioned statutory language in the Higher Education Amendments of 1992 has led to a stultifying morass of burdensome regulatory guidance and sub-guidance that now includes 93 different criteria that accreditors must consider when determining institutional quality. We support the recommendation to streamline responsibilities of the Department to focus on fiscal and administrative capacity (the institution's financial health), and commensurately narrow the focus of the accreditors to evaluate academic programs and program quality improvements through the merit review evaluation process.

### **Proposal #2 to provide explicit authority to accreditors to establish risk-adjusted or differentiated reviews**

We strongly agree with Proposal #2 to provide explicit authority to accreditors to establish risk-adjusted or differentiated reviews. As stated in AAU's HEA reauthorization recommendations of July 2013 – as well as by NACIQI in its report *Higher Education Accreditation Reauthorization Policy Recommendations* and the American Council on Education's report *Assuring Quality in the 21st Century: Self-Regulation in a New Era* – accreditors should develop and implement expedited review procedures for institutions with a record of stability and successful performance. As discussed in the *Report of the Task Force on Federal Regulation of Higher Education*, issued by a Senate-appointed Task Force chaired by Chancellors William E. Kirwan, University of Maryland system, and Nicholas S. Zeppos, Vanderbilt University, the authority of accreditors to conduct “differentiated reviews” needs to be clarified. We believe that accreditors do currently have the legal authority under the HEA to allow institutions that have records of exceptional quality and performance to undergo a less arduous set of procedures and processes.

We realize that not all parties involved may have the same interpretation of current law, so clear statutory language may be necessary to enable accreditors to focus on those institutions that need

additional assistance, as well as to minimize the burden on high-performing institutions. We believe that Congress should ensure that accreditors not only have the explicit authority to conduct differentiated reviews, but are required to conduct them under specified circumstances. Additionally, we believe that accreditors, as part of the certification or recertification process for accreditor status, should demonstrate that they include an active system of expedited review as a component of their accreditation procedures.

### **Proposal #3 to encourage graduation, distinction and clarity in accreditation status and reviews**

We are cautiously intrigued by the proposal to provide distinctions and gradations within accreditation to include variations, such as accredited and meets standards; accredited with distinction; or accredited and greatly exceeds standards. Providing these additional information layers could improve consumer information. It is worth noting, though, that in the current process institutions can be put on probation for example, which serves as an interim step in the accreditation process. So gradations already exist in some ways. We would caution that adding too many gradations could result in a college rating system of some kind.

As stated in AAU's written submissions to the Department of Education regarding its proposed rating system, we oppose a federal rating system and are concerned that such a rating system will not meaningfully encompass the diversity of higher education institutions and their missions, and will confuse and mislead prospective students. Providing students and families with clear, accurate, and useful information about higher education institutions is an appropriate federal role given the significant investment the U.S. government makes in student financial aid. Likewise, the federal government has an interest in identifying bad actors among higher education institutions. But it is inappropriate for the federal government to rate institutions. Unlike the many college rankings and ratings that have proliferated in the media, this rating system would have the imprimatur of the federal government and the authoritative image it conveys. As such, the potential for harm is considerable.

We support transparency and the provision of useful and relevant information to potential students, their families, and the public. The proposal for accrediting agencies to publish team review reports and other accreditation decision letters warrant serious consideration. To this end, many institutions disclose accreditation self-studies, compliance reports, on-site evaluations, and documents related to adverse accreditation actions. However, some accreditation processes also call for the inspection of confidential data, memoranda and documentation that are inappropriate for public disclosure. In order to ensure candor in the review process, such materials should be excluded from any disclosure requirement. Institutions should also be given latitude in determining whether to share publicly certain documents and data that may be cited in their self-study reports. If this provision is advanced, we propose that institutions be able to submit a request to the Department of Education for maintaining confidentiality with respect to certain information in a self-study. The Department would then make a determination after considering the sensitivity of the information in the request.

As AAU has previously recommended, Congress should direct the Department of Education to consolidate and rationalize the complex and confusing cacophony of disclosures already required. There are at least four federal consumer information tools currently available – College Navigator, the White House College Scorecard, the Financial Aid Shopping Sheet, and the College Affordability and Transparency Center. We would welcome a discussion about how to merge and simplify these tools to best serve students and families, including an analysis of the additional information consumers want and need, the feasibility of obtaining that information, and the most effective ways to disseminate it.

#### **Proposal #4 to delink accreditation from institutional eligibility for federal student aid**

We do not agree that Proposal #4 to delink accreditation from institutional eligibility for federal student aid will lead us in the right direction. The federal government provides taxpayer funds to enable students to pursue higher education, and accreditation, *if* properly carried out, is the government's best indicator that an institution is capable of providing a quality education consistent with its mission. AAU supports retaining the connection between accreditation and eligibility for federal funds.

#### **Redesigning accreditation to promote competition and innovation**

We are also cautiously intrigued by the proposal to eliminate the geography-based system of institutional accrediting agencies that are currently organized by region and to potentially organize accreditation around preferred characteristics, such as institutional type, size, mission, or selectivity.

Over the past several years, AAU has engaged in internal discussions about geography-based accrediting agencies. If the accreditation system moved to one that is risk-based, emphasizing the importance of the composition of the peer review teams, AAU is unconvinced that we would need to move away from the current geography-based system. However, we are open to a conversation about alternate structures, recognizing that the difficulty of undertaking such a fundamental change would have to be factored in to the cost/benefit analysis of a move away from the current geography-based structure.

Regardless of the choice of accreditor, one of most critical components of the accreditation process is the self-study process. It determines the relative effectiveness of the accreditation process. This process relies on a site visit team composed of faculty and administrators from comparable peer institutions. Peer review works best when the standards being applied are appropriate to the sector and the reviews are conducted by individuals who have deep familiarity with the mission and organizational structure of the institution under review.

Again, we appreciate the opportunity to provide comments on the accreditation process as thoughtfully discussed in the Concept Paper. We are committed to improving the current system to respond effectively to concerns about accountability and transparency, while also providing university leaders the appropriate autonomy to manage their institutions according to their unique missions and academic standards. If you would like to discuss our comments or other sections of your proposal not covered in these comments please do not hesitate to contact us. We would look forward to a continuing dialogue with you on this important issue.

Sincerely,



Hunter R. Rawlings III  
President  
Association of American Universities

cc: Ranking Member Senator Patty Murray  
Members of the Senate Health, Education, Labor and Pensions Committee