



OP-ED



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Four Questions for Re-Authorization

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Congress is once again at work to re-authorize the Higher Education Act (HEA), a matter of intense interest to accreditors. Much has changed since the 2008 reauthorization, e.g., fall-out from the Great Recession, advances in technology, and increasing interest in non-degree providers. Overarching issues now include:

- How the HEA can address not only the quality assurance questions of today, but to the extent possible provide a framework for changes not yet anticipated.
- How accreditors, the federal government, and the states can work together to maintain and enhance the best of American higher education while ensuring appropriate use of taxpayer dollars to support students.
- How the HEA can provide a framework for recognition of regional accreditors' quality assurance role as "reliable authorities as to the quality of education," while allowing accreditors to maintain and enhance their quality improvement function.



Below are four specific questions worth addressing.

1. How can institutions be closed with minimal disruption to students? The past two years have seen enormous disruption to students with the abrupt closings of Corinthian and ITT. When ITT collapsed, its only regionally accredited institution, Daniel Webster College in New Hampshire, was in imminent danger of closing in the middle of the semester. Fortunately, Southern New Hampshire University (SNHU) had the capacity, willingness, and agility to step in and oversee a teach-out. In this case, the Triad worked. Our Commission (the New England Association of Schools and Colleges Commission on Institutions of Higher Education), the state of New Hampshire and the U.S. Department of Education's federal financial aid staff worked over the weekend to get all of the pieces in place, and an accreditation team later confirmed that the students are being well served. But what if SNHU hadn't been there? What have we learned together that can prevent a disaster next time?

Less dramatically, when smaller institutions close – generally as the direct or indirect result of financial problems – the disruption is still great for the students involved. While accreditors can and do require teach-out plans for vulnerable institutions, the all-or-nothing nature of federal financial aid means that when accreditation is withdrawn and aid is no longer available, the institution will almost certainly close. Precipitously. Can there be a variation in the system that mitigates the all-or-nothing feature?

2. What capacity will advances in technology and data analytics bring to higher education and quality assurance? When the HEA was re-authored in 2008, distance education was a new and not well-trusted innovation. By 2014, more than one in four students were taking at least one online course. Yet regulations still require that accreditors must review and approve institutions' first offerings of programs offered 50 percent or more on-line, regardless of institutional capacity. Earlier this year, our Commission approved the first on-line program at Yale.

Advances in technology continue to change higher education. In 2008, no one saw MOOCs on the horizon; now there have been over 58 million enrollments world-wide, and new initiatives now allow MOOCs to lead to credentials, including EdX's Micro-Masters. In 2008, colleges wanting to know what their graduates were doing relied on alumni surveys. Now, when response rates are low, LinkedIn is a trusted way of knowing what alumni are doing.

We are entering an age when predictive analytics are being used to help institutions increase student success.

What will the next five years – or more realistically ten years, as re-authorizations don't seem to conform to the five-year schedule – bring in terms of increased capacity of institutions to expand, tailor and improve the quality of learning? The next

HEA should provide sufficient flexibility mechanisms for financial aid and quality assurance to adapt. We don't know what the disruptions will be, but it's a safe bet that there will be disruptions.

3. How can NACIQI be kept from being partisan? The National Advisory Committee on Institutional Quality and Integrity (NACIQI) dates to the first HEA in 1965. Among its duties, NACIQI advises the Secretary of Education on the re-recognition of accrediting agencies.

Until the 2008 re-authorization, the Secretary of Education appointed members of the Committee. Starting in 2008, one-third of the 18 members are appointed by the Secretary and two-thirds by Congress, balanced by the House and Senate and by majority and minority parties. This broadened appointment mechanism was designed to ensure that as new members were appointed, one party would not appoint all the Committee members. This is generally a useful idea, and mixing Congressionally appointed members with Department-appointed members can reflect the broad interests in higher education quality assurance.

With the vastly increased amount of federal financial aid, the consistent evidence that college degrees have life-time advantages for individual incomes and therefore the increased visibility of accreditors, it is easy to understand that the public part of the recognition process is a bit political. (Happily, the review done by Department staff has remained apolitical.) But consistent with a growing partisan divide in our government and, indeed, in our country, there have been moments when NACIQI has become partisan. Nothing good can come of this. It behooves the Congress to ensure that the appointment process leads to the appointment of the most capable and fair-minded people to NACIQI and reflects the lowest level of probability that they will bring a partisan agenda with them.

4. Can there be the equivalent of the experimental sites for experiments in accreditation? The HEA provides for the Secretary to conduct "experimental" programs. While some of these programs are educationally innovative, the basic idea is to experiment with the award of federal financial aid on a small scale so that lessons learned can be applied if the Department seeks changes in regulation or statute. Thus, for example, the experiments in "direct assessment" award financial aid not on the basis of the number of credits completed per semester, as is the norm, but the number of competencies certified without the same strict semester time limits.

Recently the Department has permitted accreditors in whom they have confidence to petition for re-recognition by documenting compliance with a core set of regulatory requirements, not the full set of 98 requirements. And the Department has issued guidance to assure accreditors that they have certain flexibility in working with institutions to ensure that accreditors pay more attention to institutions where the risk is greater than where it is lesser. While these accommodations are welcome, what the Department does not have the authority to do is establish the kind of "experiments" for accreditors that it has for institutions.

What might some experiments be? It's hard to say, given that the possibility does not currently exist, but here are two preliminary ideas. First, currently institutions cannot hold "pre-accreditation" status (under which, if they are not-for-profit, they can apply for Title IV) for more than five years. Given the significant barrier to entry for new institutions, what if an accreditor wanted to propose a status that provided limited access to federal financial aid (e.g., limited by type of aid or number of students) for a longer period to help a promising enterprise get off the ground? Second and more fundamentally, instead of responding in detail to the 98 criteria for recognition, could an accreditor demonstrate that it is a "reliable authority as to the quality of education" by detailing how it judges educational quality, how it assesses and responds to risk with respect to institutions, and how it focuses on outcomes and continuous improvement? A provision for experimentation for accreditors holds the promise of decreasing regulation where it is not warranted and providing greater opportunities for accreditors to focus their time and attention where they are most needed.

Both the House and Senate have shown great interest in learning about how regional accreditation works and what strengths it brings to ensuring quality at the 3,000 regionally accredited institutions. We hope that as the focus sharpens on re-authorization there will also be the opportunity to discuss these broader questions, ensuring that regional accreditors can focus increasingly on outcomes, consistent with our quality assurance responsibilities, while also honing our quality improvement mission.

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