

January 26, 2026

Ms. Elizabeth Daggett  
Director, Accreditation Group  
Office of Postsecondary Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Re: Docket ID: ED-2025-OPE-1009

Dear Ms. Daggett:

On behalf of the American Council on Education and the undersigned higher education associations, I write in response to the Department of Education's (Department) request for comments on revising the accreditation handbook. In the Federal Register notice, the Department indicated that "[c]ommenters may also consider providing comment on the totality of the accreditation process and comment on specific proposals contained within Executive Order 14279, or other innovative ideas related to accreditation."<sup>1</sup> Given the range of actions that are being contemplated or implemented at the Department regarding accreditation, we believe that it is important to address the accreditation process overall, in addition to specific recommendations for the handbook.

Below, we share high-level comments on both the accreditation process in general and the aspects of the accreditation handbook that impact institutions of higher education.

### **The Accreditation Process Overall**

Section 496 of the Higher Education Act (HEA) specifically outlines the role of accreditors and the Department in the accreditation process. As part of the triad system of shared oversight and quality assurance, accrediting agencies were granted federal recognition to set standards for quality and incentivize continued institutional improvement. Prior to July 1, 2020, the Department had regulations that required recognized accreditors to have concentrated geographic regions that included at least three states that are reasonably close to one another, and these accreditors were known as regional accreditors. On July 1, 2020, new regulations issued by the Department went into effect, which specified that a geographic region in which an agency concentrates includes a group of states "chosen by the agency."<sup>2</sup> Since the new rules went into effect in 2020, institutions have been able to choose their accreditor either at the institutional level or the programmatic level, with a clear understanding that they must abide by the rigorous demands and requirements of the accrediting body.

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<sup>1</sup> Request for Information; Updates to the Accreditation Handbook, 90 F.R. 57456 (December 11, 2025). <https://www.govinfo.gov/content/pkg/FR-2025-12-11/pdf/2025-22555.pdf>

<sup>2</sup> Student Assistance General Provisions, The Secretary's Recognition of Accrediting Agencies, The Secretary's Recognition Procedures for State Agencies, C.F.R. § 600, 602, 603, 654, 668, and 674. <https://www.govinfo.gov/content/pkg/FR-2019-11-01/pdf/2019-23129.pdf>

Over the last few years, changes have been made to the accreditation process through rulemaking. These changes have included opening historically “regional” accreditors to serve institutions nationally and outlining how accrediting agencies evaluate prison education programs in order for those programs to participate in the Pell Grant program. While we acknowledge that some modifications have been made that are favorable to institutions of higher education, we believe that further improvements can be made.

### ***Student Achievement Standards***

For instance, there have been recent legislative proposals requiring accreditors to establish standards related to student achievement outcomes. Currently, the HEA provides flexibility for institutions in how they measure student achievement to account for their missions and communities. Accreditors can consider outcome measures such as completion rates, cohort default rates, and enrollment patterns as part of evaluating the educational quality offered by the institution. Instead of isolating these elements to determine quality, accreditors have used them in conjunction with on-site visits, institutional reports, and many other tools to gain a comprehensive view of the institution and its programs. This comprehensive view allows for a more in-depth and rigorous examination of student achievement outcomes beyond top-level metrics.

We oppose any such measure to establish student achievement standards in the regulatory text or do anything that goes beyond the flexibility provided in the HEA. The law clearly states that:

Nothing in this Act shall be construed to permit the Secretary to establish criteria for accrediting agencies or associations that are not required by this section. Nothing in this Act shall be construed to prohibit or limit any accrediting agency or association from adopting additional standards not provided for in this section. Nothing in this section shall be construed to permit the Secretary to establish any criteria that specifies, defines, or prescribes the standards that accrediting agencies or associations shall use to assess any institution’s success with respect to student achievement.<sup>3</sup>

There have been specific proposals requiring accreditors to monitor compliance with outcome metrics such as median price versus value-added earnings or labor market outcomes<sup>4</sup>, and we believe that such a change to the assessment of student achievement outcomes would represent a dramatic shift in the role of accreditation. We also believe that such a change would inappropriately blur the lines of the program integrity triad and detract from accreditors’ focus on academic quality.

### ***Onsite Inspections***

In carrying out onsite inspections, the HEA shares that no accrediting agency or association may be recognized by the Department unless the agency or association performs regular, on-site inspections and reviews.<sup>5</sup> On-site inspections conducted by well-trained evaluators are an important part of the accreditation process to determine institutional quality.

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<sup>3</sup> Higher Education Act of 1965, 20 U.S.C. §1099b(g) (2025). <https://www.govinfo.gov/content/pkg/COMPS-765/pdf/COMPS-765.pdf>

<sup>4</sup> Accreditation Choice and Innovation Act, H.R. 4054, 119<sup>th</sup> Cong. (2025). <https://www.congress.gov/bill/119th-congress/house-bill/4054/text?s=2&r=1>

<sup>5</sup> The HEA states that an accreditor, “[p]erforms, at regularly established intervals, on-site inspections and reviews of institutions of higher education (which may include unannounced site visits) with particular focus on educational quality and program effectiveness, and ensures that accreditation team members are well-trained and knowledgeable with respect to their responsibilities, including those regarding distance education.”

We understand that often peer evaluators are pulled from a database based on interest, which could decrease the level of expertise needed. However, we would support accreditors creating a team of reviewers with a deep knowledge of the institution. For instance, if a Historically Black College or University was being inspected by a team of individuals, we would expect there to be individuals in the group that are deeply familiar with HBCUs, their missions, their culture, how they operate, and their challenges. The same goes for any other institutions with a specialized mission or other institutions in general.

### ***Changing Accreditors***

In 2022, the Department issued notices around the various steps institutions would need to take to change an accreditor.<sup>6</sup> These steps included notifying the Office of Federal Student Aid (FSA) to submit lengthy documents and materials (including any substantive communication with the new accrediting agency) demonstrating reasonable cause for switching accreditors, get approval from FSA that the institution has met all of the requirements regarding the document submission, and inform FSA once the new accreditation was secured. These steps made it very difficult for institutions to successfully switch accreditors as it severely bogged down the process even as some public institutions were forced to switch accreditors as the result of changes in state laws.<sup>7</sup>

In May 2025, the Department issued a notice supporting institutions' ability to pursue a change in accreditors and streamlined the process for institutions to receive approval from the Department. As a result, instead of needing to submit lengthy, detailed documents to FSA, institutions are now only required to submit a Reasonable Cause Request Certification. This certification form serves to demonstrate a reasonable cause for switching accreditors and provides the Department with the basis for approving the change in accrediting agency.

We write to offer our support for this change and hope that this process is codified into the regulations in addition to the sub-regulatory guidance that was issued. The streamlining of this process lifts the unnecessary burdens placed on institutions of higher education and is a direct sign that the Administration is responding to the needs of the higher education community.

### ***The Role of States in Accreditation***

In the current program integrity triad system of higher education in the HEA, the primary role of the states is to oversee consumer protection by ensuring that institutions are legally recognized to operate in the state and monitoring compliance with relevant state laws. This distinction is important. There have been legislative proposals to allow states to designate an entity within the state as an accreditor that would operate for a five-year of Un, with barriers to Title IV funding for institutions and programs.<sup>8</sup>

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<sup>6</sup> Office of Federal Student Aid. (2022, September 26). *Procedures for institutions seeking approval of a request to change or add accrediting agencies*. U.S. Department of Education. <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2022-07-19/procedures-institutions-seeking-approval-request-change-or-add-accrediting-agencies-updated-sept-26-2022>

<sup>7</sup> In 2022, Florida enacted a law requiring the state's public institutions to switch accreditors every cycle. In 2023, North Carolina prohibited the 16 universities within the University of North Carolina system and the state's community colleges from receiving accreditation from the same agency for consecutive cycles.

<sup>8</sup> Accreditation Choice and Innovation Act, H.R. 4054, 119<sup>th</sup> Cong. (2025). <https://www.congress.gov/bill/119th-congress/house-bill/4054/text?s=2&r=1>

We strongly oppose giving states the authority to determine institutional eligibility for federal student aid, as it would seriously undermine the program integrity triad and improperly insert government officials into matters involving academic quality. As shared previously, states already have an important, but separate, role and responsibility in the HEA. While proponents of this change argue that these state-designated accrediting bodies would be held to a higher standard and increase competition, there is little evidence to support that assertion or that institutions are better served by the creation of myriad state-based accrediting agencies with differing standards and procedures. This is largely a solution in search of a problem.

We also oppose letting states determine eligibility for federal student aid because states may use that authority to disadvantage some institutions. Given the current political environment, we fear a possible negative impact on institutions should a state have any bias against an institution of higher education. In a world of academic freedom and institutional autonomy, institutions should be able to operate and fulfill their mission without fear of losing Title IV funding due to political differences. The states should maintain their clearly defined role in the HEA and ensure a proper balance in the program integrity triad. We do not believe that it is necessary or desirable to give states more responsibilities and strongly urge against moving in any direction that would compromise the triad.

### **The Accreditation Handbook**

In gathering feedback from stakeholders in the higher education community, we would like to express concerns regarding the need for accreditors to address intellectual diversity on college and university campuses as well as the importance of ensuring that the accreditation handbook is not seen as the rule of law.

Section 3 of Executive Order 14279 mandated the Department to take all necessary steps, consistent with applicable law, to ensure that “accreditation requires that institutions support and appropriately prioritize intellectual diversity amongst faculty in order to advance academic freedom, intellectual inquiry, and student learning.”<sup>9</sup> As stakeholders in the higher education sector, we understand the importance and value of academic freedom, intellectual diversity, intellectual inquiry, and student learning. The strength of our higher education system is the diversity of institutions across the country and the ability of faculty to teach and research freely in the pursuit of knowledge.

While we appreciate the language in the Executive Order stating the need for reform of the accreditation system to allow colleges and universities to focus more on delivering high-quality academic programs, we fear that requiring accreditors to assess how institutions may prioritize intellectual diversity becomes counterproductive to that goal. As outlined previously, the HEA outlines the accreditation process and its scope. It is clear that the Department is not allowed to extend the scope of criteria in the HEA beyond what is in law, and this new requirement begs the question of whether this would be an expansion outside of the statute.

Furthermore, the accreditation handbook is exactly what it is supposed to be, a handbook. When gathering feedback, there was a resounding concern that the handbook may be seen as having the force of law, which has caused confusion as it relates to “compliance.” The Department should make it clear that only statutes and regulations hold the force of law and that as the handbook is

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<sup>9</sup> Reforming Accreditation To Strengthen Higher Education, 90 F.R. 17530 (April 28, 2025). <https://www.govinfo.gov/content/pkg/FR-2025-04-28/pdf/2025-07376.pdf>

revised, there is attention paid to clearly aligning definitions and processes used in the handbook and with statute and regulatory text.

Thank you for your time and attention to this letter. We hope that these comments will inform your approach to any proposed changes to the handbook specifically and the accreditation landscape generally.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Mitchell".

Ted Mitchell  
President

AACTE: American Association of Colleges for Teacher Education  
ACPA-College Student Educators International  
American Association of Colleges and Universities  
American Association of Community Colleges  
American Association of State Colleges and Universities  
American Association of Veterinary Medical Colleges  
American Council of Learned Societies  
American Council on Education  
Association of Community College Trustees  
Association of Governing Boards of Colleges and Universities  
Association of Independent Colleges & Universities in Massachusetts  
Association of Independent Colleges & Universities of Rhode Island  
Association of Independent Colleges and Universities of Pennsylvania  
Association of Jesuit Colleges and Universities  
Association of Schools and Programs of Public Health  
Complete College America  
Connecticut Conference of Independent Colleges  
Council for Christian Colleges & Universities  
Council of Graduate Schools  
Council of Independent Colleges  
Council on Education for Public Health  
EDUCAUSE  
Maryland Independent College and University Association  
NASPA-Student Affairs Administrators in Higher Education  
National Association of College and University Business Officers  
National Association of Independent Colleges and Universities  
National Association of Student Financial Aid Administrators  
Tennessee Independent Colleges and Universities Association  
Wisconsin Association of Independent Colleges and Universities