

September 18, 2026

Mr. Aaron Washington
U.S. Department of Education
Office of Postsecondary Education
400 Maryland Avenue, SW
Washington, D.C. 20202

RE: AIM: The Secretary's Recognition of Accrediting Agencies: Institutional Eligibility Under the Higher Education Act of 1965 [Docket ID ED-2025-OPE-1042]

Dear Mr. Washington:

On behalf of the Council of Graduate Schools (CGS), I am submitting comments to the U.S. Department of Education (Department) on the Accreditation, Innovation, and Modernization (AIM) Notice of Proposed Rulemaking. For the last year, CGS and our member-institutions have closely monitored the Administration's effort to reform the accreditation system through the issuance of [Executive Order 14279](#), "*Reforming Accreditation to Strengthen Higher Education*," and then subsequent convenings of the AIM Negotiated Rulemaking Committee. While we acknowledge that improvements can be made to the accreditation system, this proposed rule represents an intervention by the federal government into the autonomy of institutions of higher education. This concern is heightened where the proposed rule would have accrediting agencies, rather than institutions themselves, define and apply substantive standards of academic quality; this is a shift that CGS believes should be undertaken cautiously and with close attention to the historic division of responsibility among institutions, accreditors, and the Department of Education.

CGS is an organization of over 400 institutions of higher education in the United States and Canada, along with 16 international institutions. CGS is the only national higher education association solely dedicated to the advancement of graduate education, research, and the preparation of candidates for advanced degrees. Moreover, the CGS member-institutions educate, train, and prepare more than 1.7 million graduate students to be contributors to the nation's workforce.

In addition to the submission of these comments, CGS supports and has signed on to comments submitted by the American Council on Education and the broader higher education community. While the ACE comment letter appropriately acknowledges some positive aspects of the proposed rule, such as the Department providing institutions with the flexibility to switch accrediting agencies, it also addresses several concerning aspects of the proposed rule. Since the ACE comment letter addresses most of CGS' concerns, we would like to specifically raise concerns about the following sections:

In summary, CGS recommends that the Department: 1) retain a meaningful experience threshold for new accrediting agencies under §602.12 rather than eliminating the two-year requirement outright; 2) add express language under §602.12 and 602.17 confirming that program-level outcome measures may not be applied uniformly across graduate program types; 3) clarify that new accreditation requirements addressing research integrity, faculty staffing, and academic freedom are intended to complement, and not

duplicate or override existing federal requirements and institutional policymaking authority, and 4) provide a reasonable transition period, with grandfathering of existing accreditation relationships, before any final rule takes effect. Each recommendation is discussed in greater detail below.

Section 602.12: Accrediting Experience

This section removes the existing “two-year rule” for new accrediting agencies and adds a new provision, §602.12 (e), that does not limit an accreditor’s experience to a particular geographic area, but allows experience to be demonstrated in a national, state, or group of states, or program. While the proposed rule will offer institutions greater flexibility in switching accrediting agencies, CGS is concerned about the removal of the two-year rule for new accrediting agencies that seek federal recognition. In the proposed rule, the Department argues that the removal of the two-year requirement would “eliminate superfluous requirements for recognition of new accrediting agencies that reduce competition and institutional choices when selecting an accrediting agency. The proposed rule also simplifies procedures for institutions to change accrediting agencies so that institutions are not forced to comply with standards that are antithetical to their values and mission.” While the streamlining of processes and reduction of administrative burdens are important for both institutions and accrediting agencies, the removal of the two-year requirement could result in unqualified and inexperienced agencies being approved by the Department. In our view, it benefits America’s institutions of higher education and the millions of students that we educate, train, and prepare for the workforce to have institutions and programs accredited by knowledgeable and experienced accrediting agencies in the marketplace. CGS recommends that the Department retain a modified experience threshold. For example, require at least two years of relevant accrediting experience or a demonstrated equivalent capacity rather than eliminating the requirement, and that any newly recognized accrediting agency be subject to heightened Department monitoring during its initial recognition period.

Section 602.16: Accreditation and Pre-accreditation Standards

This section proposes “to amend §602(a)(1) and (a)(1)(i) to require that the agency’s accreditation standards must establish requirements for the institutions or programs it accredits in the following areas:

(i) Success with respect to student achievement at the institutional and program level in relation to the institution’s mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of state licensing examinations, course completion, and job placement rates, as described in §602.17(a)(1). Under §602.16(f), the rule proposes that an agency that has established and applies the standards in paragraph (a) of this section may establish any additional lawful accreditation standards that are consistent with ensuring institutional or programmatic quality and integrity, as it deems appropriate.”

This proposed rule concerns CGS and our member-institutions for a few reasons. First, accrediting agencies will be required to establish their own standards for student success and achievement at the institutional and programmatic levels. So, it is possible that accrediting agencies with less than two years of experience and little or no knowledge or understanding of state laws and regulations will be required to establish and apply their own standards when evaluating an institution. Second, this proposed rule allows for different standards for different programs. This can and will result in a patchwork of different accreditation standards at the same institution. In our view, this section adversely impacts institutional

autonomy because it requires accrediting agencies to establish standards that may be in opposition to institutional policies. To address this risk, CGS recommends that the Department add an explicit provision confirming that accrediting agencies retain discretion to apply institution-specific standards in a manner consistent with, and not superseding, an institution's own governance and academic policies.

Section 602.17: Application of Standards in Reaching Accreditation Decisions

In this section, the proposed rule substantially expands the requirements governing how accrediting agencies apply their standards and what must be considered to make a final decision to accredit an institution. The proposed rule would require accrediting agencies to utilize their “own standards to review an institution’s student success with respect to student achievement at both the institutional and program levels, including minimum expectations by assessing state licensing or certification examination results, where applicable to the program of study; program retention, completion, or graduation rates.” When considered alongside §602.16, these provisions could significantly expand the role of accrediting agencies in determining how institutions and programs demonstrate academic quality.

Students: CGS supports high student achievement and outcomes for all graduates. However, graduate education encompasses a wide range of programs with substantially different missions, structures, educational objectives, and career pathways. The proposal should recognize these differences and avoid applying uniform measures of student success across graduate programs.

For example, completion and graduation rates may not be directly comparable across master's, doctoral, clinical, and professional programs, which can have substantially different expected time-to-degree and completion patterns. Similarly, post-completion employment and economic returns may not fully capture the outcomes of graduates who pursue additional education, postdoctoral training, research careers, public service, nonprofit careers, or other pathways in which employment and earnings may not immediately reflect the value or purpose of the graduate degree. CGS also encourages the Department to recognize that program-level measures may be less reliable for smaller graduate programs or programs with highly specialized career pathways. The Department should clarify that these measures are not intended to serve as standalone proxies for academic quality and should not be applied uniformly across graduate programs. Specifically, CGS recommends that the Department add a savings clause to §602.17(a)(1) confirming that program-level outcome measures are to be evaluated relative to comparable programs and shall not be construed to require identical benchmarks across program types or credential levels.

Academic Freedom & Faculty: The proposed rule would require accrediting agencies to evaluate whether institutions maintain a “sufficient number of appropriately qualified faculty and other subject matter instructors,” whether faculty are regularly evaluated on their instruction, research, or service responsibilities, and whether institutions have sufficient flexibility in instructional staffing policies to respond to changes in student demand, program viability, or financial conditions. The proposed rule would also establish accreditation requirements addressing academic freedom, freedom of inquiry, intellectual diversity, and the free exchange of ideas. Under proposed § 602.17(a)(2)(vii), accrediting agencies would evaluate whether institutions maintain policies protecting civil rights and, where applicable, First Amendment rights, including protections for academic freedom and freedom of inquiry for faculty teaching and research within their subject matter and academic disciplines. Under proposed § 602.17(a)(2)(viii), accrediting agencies would also evaluate institutional policies designed to support,

promote, and appropriately prioritize intellectual diversity and the free exchange of ideas, including student and faculty perceptions regarding the range of viewpoints offered by an institution or program. CGS supports appropriately qualified faculty, effective faculty evaluation practices, academic freedom, freedom of inquiry, and the free exchange of ideas. However, graduate education encompasses a wide range of disciplines and educational models, and faculty responsibilities may include instruction, research, and/or service responsibilities. The Department should ensure that these requirements do not encourage accrediting agencies to prescribe particular faculty staffing arrangements, faculty evaluation practices, academic inquiry, or viewpoints and perspectives represented within an institution or program. This would create a fragmented patchwork of accreditation standards at the granular level. Institutions and their academic communities should retain authority to structure faculty roles, qualifications, staffing, curriculum, and academic inquiry in accordance with their missions, disciplines, and academic objectives and needs. CGS recommends that any final rule includes express language limiting agency review under §602.17(a)(2)(vii)-(viii) to the extent and content of institutional policies rather than authorizing agencies to evaluate specific staffing decisions, personnel actions, or the substance of faculty viewpoints.

Research: The proposed rule would require institutions to maintain policies concerning research integrity and practices to prevent, detect, and address fabrication, material misrepresentation or falsification, plagiarism, and other research misconduct, including timely investigation and corrective action. CGS strongly supports research integrity and effective institutional policies and procedures, but institutions conducting federally-funded research are already subject to extensive federal requirements governing research misconduct, research integrity, research security, financial conflicts of interest, foreign research support, and federal award administration.

For example, institutions receiving National Science Foundation (NSF) funding are subject to requirements governing responsible and ethical conduct of research, research misconduct, conflicts of interest, disclosure of current and pending support and affiliations, and research security, including requirements to maintain supporting documentation and make certain information available to NSF upon request. Federal award recipients are also subject to government-wide requirements under 2 C.F.R. Part 200, while institutions receiving federal financial assistance may be subject to separate reporting requirements under Section 117 of the Higher Education Act concerning certain foreign gifts and contracts. Accreditation requirements should complement these existing federal frameworks rather than create duplicative or potentially conflicting obligations, which the Department supposedly is trying to prevent in this proposed rule. CGS recommends that the Department add a safe-harbor provision stating that institutions demonstrating compliance with applicable federal research-integrity and research-security requirements are presumed to satisfy any parallel accreditation standards adopted under this rule.

Time to Degree: The proposed rule would require accrediting agencies to ensure that program length is “appropriate to the objectives of the program and credential awarded,” while prohibiting accrediting agencies from “categorically prohibiting or unreasonably restricting” the accreditation of shorter programs that produce “comparable academic, professional, and employment outcomes.” CGS supports flexibility and innovation in program design, however, program length is an academic and curricular

determination that should reflect the requirements necessary to achieve the learning objectives, competencies, and academic or professional preparation associated with a particular degree. In graduate

education, the time required to complete a program may be determined by university standards, research and dissertation requirements, clinical or experiential training, supervised practice, licensure or certification requirements, and other requirements associated with the program's academic or professional objectives. The Department should ensure that efforts to promote shorter programs do not establish speed of completion as an objective in itself or encourage institutions to reduce program length without considering the specific learning outcomes of programs. It is essential to preserve institutional authority to establish program length and curricular requirements based on the academic and professional objectives of the degree. CGS recommends that the Department revise this section to clarify that accrediting agencies should evaluate program length based on documented learning outcomes and professional or licensure requirements and shall not treat program duration alone as a quality metric.

CGS and our member-institutions appreciate your consideration of our comments concerning the proposed rule. We encourage the Department to engage more members of the higher education community, including graduate deans, before taking any action to finalize this rule. CGS would welcome the opportunity to meet with Department staff to discuss these recommendations in greater detail and stands ready to serve as a resource to you and your colleagues.

Sincerely,



Chevelle Newsome
CGS President