United States Senate
WASHINGTON, DC 20510

April 22, 2016

The Honorable John King
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202

Dear Secretary King,

We are writing to urge the U.S. Department of Education ("the Department") to strengthen its review process of accrediting agencies to ensure that the colleges they accredit are providing a quality education to students. Each year, students and families throughout our nation invest in higher education to gain better opportunities in life and to gain a foothold into the middle class. For many students, the decision of where to attend college will be one of the most significant and financially consequential decisions they will make.

To ensure the quality of the academic programs offered to students, Congress has tasked accrediting organizations to act as gatekeepers to the $150 billion dollars in federal financial aid that flows to colleges and universities each year. According to the Higher Education Act, accreditors must set standards for student achievement and ensure that the colleges they accredit are actually meeting those standards. Unfortunately, recent history demonstrates that accreditors have not always rigorously evaluated schools to ensure they meet basic expectations and to take aggressive action when schools do not provide a quality education to students.

The Higher Education Act requires that accrediting agencies consistently apply and enforce standards that "are of sufficient quality to achieve, for the duration of the accreditation period, the stated objective which the courses or programs are offered." However, the evidence suggests that some accreditors are simply not doing enough to evaluate schools with poor student outcomes or take the necessary actions to hold schools accountable.

Accreditors have often failed to establish standards that ensure sufficient numbers of students are persisting in their course of study, completing their programs, and are able to find new or better jobs in their field when they graduate. A 2014 report by the Government Accountability Office (GAO) showed that, from 2009 to 2014, only 1 percent of institutions lost their accredited status and a mere 8 percent were sanctioned. When accreditors did act, they were no more likely to sanction schools with weak academic performance and poor student outcomes than schools with stronger student outcomes. As a result, colleges with shockingly poor performance have retained their accreditation status. A Wall Street Journal analysis last year identified eleven accredited schools where more than 90 percent of the students fail to graduate. This is unacceptable.

A strong, rigorous accreditation process should include multiple measures of student outcomes to ensure colleges and universities are providing students with the tools they need to succeed. The 2014 GAO report found no indication that national accreditors regularly used dropout, graduation, default, or forbearance rates as a meaningful part of their decision-making process about when to sanction schools, and most regional accreditors rarely look at any of these outcome measures. For far too long, accreditors have given predatory schools a pass as they lure students in to low-quality programs with false promises, and have even routinely maintained the full accreditation of colleges that are subject to multiple state and federal investigations or lawsuits.

One example, the Accrediting Council for Independent Colleges and Schools (ACICS), the accreditor of Corinthian Colleges, considered all of Corinthian's campuses in compliance with their standards at the time the Department took action to restrict the school's access to federal financial aid. ACICS never took any serious steps to verify Corinthian's wildly inaccurate job placement claims and many of these schools were later found to have falsified their data and defrauded their students. Such failures were also avoidable; many state investigations repeatedly found falsified job placement statistics at other nationally-accredited colleges prior to Corinthian's collapse, and a 2011 GAO Report found widespread plagiarism and lackluster instruction at a number of nationally-accredited colleges. In fact, ACICS continued to accredit many of Corinthian's campuses until the day the school filed for bankruptcy. These are systemic issues resulting not merely from poor leadership by a single individual, but from a persistent lack of institutional oversight.

It is time to hold our accrediting agencies accountable and ensure they are fulfilling their duties to protect students from underperforming, low-quality, and sometimes predatory schools. As both regional and national accreditors come up for renewal of recognition before the Department's National Advisory Committee on Institutional Quality and Integrity, it is critical that the Department engage in a thorough and comprehensive review process to determine if the accreditors have and enforce sufficiently rigorous standards that examine student achievement and academic quality. In particular, the Department must carefully review how accreditors have ensured that institutions have met their own standards, including whether national accreditors have verified that students are able to find quality jobs in their field of study.

The Department must also conduct this process with the utmost transparency. This includes releasing for public comment materials obtained in the process of reviewing an accreditation agency, including sanction decisions, the names of individuals involved with accreditation reviews, and all documents from the full accreditation cycle for any colleges that have closed. It should also strive to generate more information on student outcomes by accreditor to better understand the performance of these institutions and to compare their effectiveness at guaranteeing success with respect to student achievement. Accreditors that have significantly failed to live up to their responsibilities do not deserve to serve as gatekeepers to federal funds and should not be recognized by the Department.

We applaud the work that the Department has done thus far to increase transparency and accountability in the accreditation process. Students and families deserve to know if their college or university is placed on probation, on warning, or found to be out of compliance with their

accrediting agency's standards. Similarly, some regional accreditors have taken important steps to begin more thoroughly evaluating multi-state, multi-campus members by examining issues of degree completion and dropout rates, the adequacy and alignment of resources with educational purposes, the adequacy of the faculty model and the role of faculty, careful and frequent assessment of student learning, and practices to ensure academic rigor and integrity. Some accreditors are also beginning to use alternative and more inclusive student outcome data. While these efforts are definitely a step in the right direction, much more needs to be done.

As the Department begins the process of reviewing both regional and national accreditors for recognition, we hope that you will ensure that accreditors establish and enforce strong and meaningful standards that address institutional quality, student achievement, and student success and that you will take action against those who fail to protect students and taxpayers. We appreciate your prompt attention to this matter.

Sincerely,

PATTY MURRAY
United States Senator

ELIZABETH WARREN
United States Senator

RICHARD J. DURBIN
United States Senator

CHRISTOPHER S. MURPHY
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