

Testimony of Dr. Michale S. McComis, Executive Director,  
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Before the  
House Committee on Education and the Workforce  
For the Hearing  
“Strengthening Accreditation to Better Protect Students and Taxpayers”

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Madame Chair and members of the Committee, my name is Dr. Michale McComis and I am the Executive Director of the Accrediting Commission of Career Schools and Colleges (ACCSC), a private, non-profit independent national accrediting agency recognized by the United States Secretary of Education. ACCSC accredits over 650 career- and vocational education-oriented postsecondary institutions that annually serve over 150,000 students throughout the United States. ACCSC-accredited institutions offer programs in a diverse array of career and technical fields including traditional trades programs such as: plumbing; heating, ventilation and air conditioning; and welding; health care fields such as nursing; medical assisting; and dental assisting; and in the artisan crafts such as furniture making; preservation carpentry; and wooden boat building.

I am honored to appear before the Committee this morning to discuss accreditation and the contributions that it makes to the quality of education in this country as well as the ways in which accreditation can be strengthened and improved.

Accreditation as an education quality assessment mechanism has been the hallmark of educational success in this country for over a century and has been relied upon by the federal government for this purpose for over six decades. Although accreditation has recently come under increased scrutiny by policy makers, accreditation can and should continue to serve in its gate-

keeping capacity, albeit in an enhanced form which I will describe later in my testimony. Accreditation employs an earnest and collaborative approach within a peer-review network that identifies best practices and assesses how well an institution meets those best practice standards. It is not, nor can it be, a one-size-fits-all system with rudimentary metrics that do not take into account both subjective and qualitative elements of an institution's operations.

Accreditation has four essential pillars that are built upon a foundation of peer review. Those pillars are: 1) standards or best practices, 2) self-evaluation and assessment, 3) on-going institutional assessment and improvement, and 4) accountability.

1. **Standards:** Through peer review, best practices are established and mandated;
2. **Self-evaluation:** Institutions are evaluated internally and externally and assessed as to how well they meet standards and can demonstrate success through student outcomes;
3. **On-going Institutional Assessment and Improvement:** Expectations of significant and on-going institutional assessment and improvement are established; and
4. **Accountability:** Institutions are held accountable for compliance with standards and outcomes – to include the loss of accreditation –when expectations are not met.

Accreditation also takes different forms and serves many different kinds of institutions. National accreditors, such as the agency I represent, primarily accredit institutions that offer an array of career- and vocationally-oriented programs that are mainly non-degree and sub-baccalaureate degree with some baccalaureate, master's and doctoral degree programs. Regional accreditors, on the other hand, primarily accredit community colleges, 2 and 4 year colleges, and universities that offer degree programs in an array of liberal arts and professional fields as well as some non-degree and degree programs in vocational fields. Given the wide variety of accredited institutions, it

follows that institutions will be accredited by different types of accrediting agencies with different standards and different expectations of learning and outcomes. This is both appropriate and necessary. However, the differences among accreditors and the types of institutions they accredit do not make one type of accreditation “better” than another – the success of any accreditation agency is not based on the type of institution accredited but upon the strength of each of the fundamental pillars in the agency’s system and the strength of the peer review foundation. All accreditors – regional or national and regardless of the types of institutions accredited – should enforce an accountability-based model that combines rigorous input standards with performance outcomes in categories such as student learning, student assessment, and student achievement.

I recognize that the expectations of accreditors by the federal government are changing, such that accreditors are subject to far greater federal oversight than at any time in the past. Congress has a vested interest in ensuring that the strength of any accrediting agency is at an appropriate level before that agency may be recognized as a gatekeeper to Title IV funds. As such, the Congress should seek to enact changes to the Higher Education Act that will responsibly and appropriately provide such assurance; however, this should be done without injecting undue and inappropriate federal intrusion into the academic processes of higher education.

Measures relating to performance and results are present in the existing accreditation system, although in a variety of forms and not always in easily packaged metrics. However, it is the variety of these measures that contribute positively and materially to the strength of our decentralized oversight of education in this country. Having said that, however, accreditors must do better at defining student achievement outcomes with greater transparency to show how these measures are applied so that the public and policy makers can rely on the results of those evaluation

processes. Accreditation, as the sector with the principle responsibility for quality assurance in higher education, needs to work earnestly toward moving the discussion of accreditation's effectiveness from that of skepticism to confidence.

My sincere hope is that any judgment regarding the effectiveness of accreditation not lose sight of the fact that the oversight of higher education, as set forth in current law and regulation, is a shared responsibility. Each member of the regulatory triad – state government, accreditor, and federal government – has an essential role to play in the oversight of institutions. In this regard, the Committee should consider several of the recommendations made by the National Advisory Committee for Institutional Quality and Integrity (NACIQI) in its April 2012 Report, chief among them the need to clarify and to articulate common understandings about the responsibilities of each member of the triad, and foster increased communication among triad actors to achieve greater commonality across the quality assurance/eligibility enterprise. By continuing to work together in partnership with the various organizations within the regulatory triad, I believe we can strengthen the existing oversight system while retaining the positive qualities of accreditation and the expertise and nuance that peer-review represents and delivers.

Moreover, for the sake of higher education's advancement, the higher education community – including accrediting agencies – must be allowed to adapt and innovate in order to accommodate the diversity of students, student preferences, and learning styles. This supports reasons why there is not, and should not be, a one-size-fits-all system of accreditation. As higher education takes a more diverse shape, accrediting agencies and the peer review process should foster avenues for institutions to develop and deploy innovative approaches that both increase access to higher education and fundamentally change the manner in which education is delivered.

Ensuring the quality and integrity of these programs without undue regulatory burden must also remain a paramount goal.

**An Example of Federal Overreach in Accreditation:**

The federal definition of a credit hour, however, is an example of undue regulatory burden and intrusion into the academic process by the federal government that stunts innovation. In my experience, competency-based models of student assessment are superior to “seat-time” models of student fulfillment, particularly in “hands-on” fields such as welding or nursing. But, by creating the federal definition of a credit hour, the U.S. Department of Education federalized a basic academic concept and developed a complex and confusing system and then required accreditors to enforce this regulation. This serves as a prime example where accreditation has been co-opted to enforce federal overreach and blurs the lines between accreditation’s self-defined quality assurance and institutional improvement role and the quasi-surrogacy federal enforcement role that the US Department of Education has foisted upon accrediting agencies. Moreover, the federal definition of a credit hour unintentionally serves as a barrier to innovation in educational delivery models such as a movement to competency assessment. Although the Department’s position on “direct assessment” is a step in the right direction, it coexists in federal regulation with the federal definition of a credit hour, which causes uncertainty on how to move forward with more innovative models. Respectfully, the Congress should look at ways to create a focus on what students can do and in creating pathways that enable student to earn “badges” and engage in stair-step programs and life-long learning.

## **Areas to Consider:**

So then, how can accreditation be enhanced through the Higher Education Act? The following are some suggestions for the Committee to consider:

### **Macro Areas:**

- 1. Outcomes:** Outcomes measures are an important part of the assessment paradigm for higher education institutions. But, outcomes measures are not a one-size-fits-all solution and while the Congress should expect accreditors to have rigorous outcomes measures, the measures themselves should be determined by the accreditors based upon the types of institutions accredited. Accreditors must find and define the right set of measures and metrics to evaluate institutional and student success. While program-level rates of graduation and employment work well for the types of institutions accredited by my agency, those same measurements may not be as appropriate in other types of institutions. Moreover, outcomes measures by themselves are not a panacea and alone cannot provide a sole assessment of the quality of an institution or its programs. Input standards are an equally important part of the assessment paradigm and serve to illustrate why accreditation is an important part of the higher education regulatory landscape. Outcomes measurements work best when complemented with rigorous input standards (e.g., standards pertaining to educational administration; curriculum design, development, and evaluation; faculty qualifications; learning resources; facilities; student services; student learning; student assessment; and other areas that contribute to quality education programs).

Generally, outcomes measures should be a reflection of how well students learn and how well an institution performs relative to standards (i.e., best practices) and should minimally require institutions to assess:

- Student learning and competency attainment;
- Rates of retention or graduation;
- Rates of employment and certification/licensure exam pass rates in career and professional programs and measures related to “employability”<sup>1</sup> in other program areas; and
- Measures of student, graduate, and employer satisfaction.

These kinds of outcomes taken together with an assessment of an institution’s adherence to input standards provide the tools necessary to assess quality and value.

**2. Accreditation Area of Focus:** It may be useful to expect accreditors to have a more focused scope regarding the types of institutions accredited as a means to ensure a strong peer-review foundation. This is known as the “bucket” approach whereby types of institutions are grouped into buckets with an accreditor that is focused on that specific type of institution e.g., career- and vocationally-oriented institutions, community colleges, liberal arts colleges and universities, research universities, etc. This approach may allow for better peer-to-peer evaluation and bring about better measures related to outcomes and accountability.

**3. Differentiation:** An additional approach to consider to allow for differentiated levels of accreditation which could place schools in different categories. The primary purpose of

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<sup>1</sup> By “employability” I mean assessments made by graduates and employers about how well the graduate was prepared to enter the workforce based on the education received. This could serve as an appropriate outcomes measure for students pursuing education in many liberal arts fields.

differentiated accreditation is to allow accreditors to continue to fulfill their traditional role of working with schools toward continuous improvement goals and meeting minimum standards while also serving as gatekeepers to various federal funding programs. Differentiated accreditation could allow for an institution to move in and out of eligibility for funding programs, which may be a better option than the “all or nothing” binary system that the Higher Education Act acknowledges and that the ensuing regulations currently employ. However, an accreditor could determine that a school can maintain its accreditation while working toward improvement, but at a “different-level” of approval than another accredited school approved at a higher level. This different level of approval could alter, limit, or suspend the federal financial aid available to students to use at that institution. This approach preserves a school’s ability to regain full eligibility for federal financial aid while also not putting more students and tax dollars at risk at underperforming institutions. This type of differentiation of accreditation can also easily tell students how well a school is doing.

- 4. Transparency:** Accreditors should provide useful information regarding the accreditation actions taken by the agency that can help the general public make informed decisions about an institution or program.
- 5. Transfer-of-Credit:** Accreditors should have and enforce standards that prevent institutions from unfairly or unjustifiably denying credit transfer. This serves the best interest of students and represents a better use of federal tax dollars. Congress should expect accreditors to require of their accredited institutions transfer of credit policies that do not discriminate and which are fair and balanced.



- 6. Credit Hour Definition and Clock Hour Conversions:** Seat-time requirements for funding programs do not preserve academic integrity nor promote competency assessment and as such the federal definition of a credit hour and the complex clock-hour conversion formulas should be removed from the federal regulations. If accreditors are going to be the purveyors of educational quality assessment, then accreditors should be given the discretion necessary to define the elements that go into the assessment paradigm.
- 7. Changing Accreditors:** Institutions that have been subject to a monitoring, Show Cause/Warning Order, or Probation Order from one accreditor should not be allowed, for federal financial aid purposes, to seek a new accreditor for some set period of time after the sanction has been lifted (e.g., three years). When institutions “run” from one accreditor’s action to a clean slate with another accreditor, public interest is not served because applicants and parents are not aware of the history of performance at that school.
- 8. Indemnification.** Given the high stakes associated with the loss of accreditation and the ensuing loss of access to title IV student federal financial aid funding, institutions feel as if there is no choice but to take the accreditors decision to the courts. This is an exceedingly costly process and can cause accreditors not to take swift and decisive action for fear of being dragged through painful and exceedingly costly litigation. Given the federal government’s reliance and dependency on accreditation and the gatekeeping role that accreditation plays, the federal government should afford accreditors some protections as a means to prevent specious lawsuits from being brought against accrediting agencies. Accrediting agencies simply cannot afford to defend against multiple litigation processes (e.g., legal fees, litigation expenses, liability insurance premiums, human resources costs, opportunity costs, etc.).

**Micro Areas:**

- 1. Appeals Process:** The last reauthorization of the Higher Education Act yielded several significant changes to the process that accreditors must enact with regard to the appeal of an adverse accreditation decision. While I believe the Congress was well intentioned, the ensuing regulations have created a far more complex and cumbersome process that has not, in my experience, yielded greater due process for institutions. I suggest the Committee review the history of legislative intent and regulatory changes in this regard and consider reverting back to the pre-2008 requirements.
- 2. Substantive Changes:** The Committee should review the provisions that permit accreditors to visit only a “representative sample” of additional locations if an institution operates more than three additional locations and that allow an institution to establish additional locations without prior approval from its accreditor. In my experience, growth of an institution, to include the addition of geographically distant campuses, should require greater oversight, not less. Accreditors should be required to visit and evaluate fully each campus or location where federal Title IV financial aid dollars may be spent by students.

**Conclusion:**

It is my hope that the Committee finds these suggestions to be a useful addition to the discussion regarding accreditation’s continued role as a gatekeeper to federal financial aid programs and I will be happy to provide additional information as may be requested.

As the Executive Director of a national accrediting agency, I can attest that my organization is keenly aware of the important role that accreditation plays as a gate-keeping entity in the triad and understands the impact that that role has on ensuring the reliability of our nation’s current

higher education oversight system. I am also cognizant that questions remain from policy members, regulators, and the general public regarding whether accrediting agencies have been living up to our collective responsibilities, and whether or not accreditation has the appropriate level of rigor and outcomes assessments. To that end, I look forward to continuing the dialogue on ways to strengthen accreditation as a means to ensure that accreditation continues to fulfill its role as a gatekeeper to the Title IV federal student financial aid programs.

Thank you again for the opportunity to testify before the Committee and I happy to answer any questions you may have.