

To: Program Integrity and Institutional Quality Committee  
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Subject: Change of Accreditors – Section 600.11  
Date: February 27, 2024

*Thank you for your attention during this busy time to this brief memo on Sec 600.11.*

There is broad support among accreditors for the proposition that institutions should be able to change accreditors to serve their mission, students, and quality improvement efforts. Currently, the Secretary reviews any request from an institution seeking to change accretor based on an examination of “reasonable cause,” which may not include a situation where an institution is avoiding sanction or adverse action. Separately, accreditors are required to have “voluntary” membership. These screens operate alongside the Department’s regulatory oversight of accrediting agencies to assure that agencies apply core accreditation standards and required procedures to promote quality.

Accreditors agree with the Department that it is not in the best interest of students or institutions for institutions to change accreditors frequently. Those actions could undercut both the accountability and improvement functions of accreditation. From an operational perspective, excessive switching could make it difficult for agencies to properly make decisions about capacity and siphon off resources better directed to students. We respect that the Department is seeking to create reasonable guardrails and conditions as to how it will exercise its authority and make decisions under these rules.

Notes and questions:

1. The proposed language under **600.11(a)(1)(C)** would prohibit an institution from moving to a new accretor if it has “not yet completed two full accreditation cycles with its current accrediting agency.” ED has proposed adding a proviso that institutions might return to their prior accretor. We look forward to further discussion of this section.
  - a) The controlling measure of accreditation ‘cycles’ is the time between comprehensive reviews of institutions for initial or reaffirmation of accreditation. Agencies set the time between comprehensive reviews (within federal maximums) and the periods currently range from 6 to 10 years. Referring to a number of ‘cycles’ could yield inconsistent results and difficulty in monitoring. It is also unclear whether a period of candidacy would count as a “cycle.” Is the Department’s intent to assure a minimum number of review rounds, or to assure a consistent period of time of accreditation by one agency before a move would be allowed to another?

- b) The regulation might be revised to provide that, rather than an absolute barrier, the Secretary take into account in determining “reasonable basis” whether an institution has moved recently or how long or how many cycles it has been with the current agency. That could be in the form of a rebuttable presumption or similar mechanism to balance the Department’s apparent interest in controlling changes without unduly constraining institutions in circumstances that may not be foreseeable now.
  - c) How is the Department advising states with actual or potential legislation on this subject with regard to provisions that mandate changing accreditors every cycle or on a specific timetable? North Carolina law, for example, includes such a provision.
2. The proposed language under **600.11(a)(1)(D)** would prohibit an institution from moving to a new accreditor if it “has been directed to select a particular accrediting agency by a party other than the institution.” We would appreciate insight into how the Department would define and determine whether an institution has been “directed” to change accreditors. While this discussion is understandably driven by recent and potential state laws, any new restrictions and tests should also be adaptable to other situations and types of institutions and minimize unintended consequences.