



Beyond Standards

A Critical Examination of the Relationship between
NACIQI and Accreditors

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ITHAKA S+R

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We are particularly interested in issues around accreditation and quality assurance because of the potential to leverage federal policy and institutional practice for positive change at scale. In recent years, we have focused on the degree to which federal oversight of accreditors and the accreditation process supports positive student outcomes. This research extends that line of inquiry by focusing on the relationship between NACIQI and the accreditors as well as how NACIQI influences change among the accreditors within a tightly regulated policy environment.

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Introduction

The Importance of Accreditation and Quality Assurance

NACIQI's obscurity could reinforce the public perceptions that colleges and universities operate without visible oversight, which may further erode the public's trust.

As public trust in higher education declines amid rising costs, political controversies, and deepening questions about the value of a college degree and for whom that value accrues, it is appropriate to closely examine the quality assurance ecosystem in which higher education institutions operate. While there are many stakeholder groups with an interest in assuring quality, including the media and the marketplace,¹ the foundation of the quality assurance system from a policy perspective is the “triad,”² made up of the states, the Department of Education (ED), and accreditation agencies.

ED's responsibilities for the distribution of federal financial aid and collecting data are well-known to the general public. Few know of the department's role in quality assurance, however, and its relationship to the National Advisory Committee on Institutional Quality and Integrity (NACIQI)—a federal advisory committee situated in ED and focused on accreditation. Along with accreditation agencies and state boards of higher education, NACIQI is a statutorily required part of the American system of higher education. NACIQI's obscurity, though, could reinforce the public perception that colleges and universities operate without visible oversight, which may further erode the public's trust. Through this report, we aim to shed light on these less publicized aspects of quality assurance by focusing on NACIQI, its statutory role, and its relationships with other actors in the triad. Our hope is to increase public understanding of quality assurance in higher education, particularly where NACIQI is

¹ Don F. Westerheijden, Bjørn Stensaker, and Maria João Valente Rosa, *Quality Assurance in Higher Education: Trends in Regulation, Translation and Transformation*, Higher Education Dynamics 20 (Dordrecht: Springer, 2007).

² Barbara Brittingham, “Accreditation in the United States: How Did We Get to Where We Are?” *New Directions for Higher Education* 2009, no. 145 (December 2009): 7–27, <https://doi.org/10.1002/he.331>.

concerned. This greater awareness of the process can invite more participation and help identify ways for policymakers and advocates to improve it.

The report begins with a primer on the system of higher education quality assurance as it currently exists to establish the necessary context for a closer focus on NACIQI and its relationships with accreditation organizations. The contextual overview will include a brief explanation of the three members of the quality assurance triad (state recognition boards, accreditors, and ED) followed by a deeper dive into NACIQI and its process for recognizing and re-recognizing accreditors.

This web of policy-dictated connections sets the stage for better understanding the relationships between the various groups. Focusing on the actual relationships between these entities, rather than the statutory requirements of their interactions, reveals new and interesting paths of influence between the groups, particularly the ways in which NACIQI influences the actions of accreditors. Our understanding of these modes of influence reveals new opportunities for policymakers and other stakeholders to make changes within a highly regimented system.

Research Overview

This project closely examines the relationship between NACIQI and accreditors to understand how the individuals who make decisions in these two organizations interact with and influence each other. This approach led us to seek interviews with the presidents of several major accreditation organizations as well as current and former NACIQI members. Although federal regulations on advisory committees prohibited conversations with sitting NACIQI members,³ we were able to speak with two former NACIQI members, seven accreditation agency presidents, and two ED staff members. The analysis and synthesis of these interviews is reported below, following an overview of quality assurance which sets the necessary context to understand the relationship between NACIQI and accreditors.

³ “Federal Advisory Committee Act (FACA) Management Overview,” US General Services Administration, accessed April 16, 2024, <https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-management>.

The Quality Assurance Triad

The basic structure of the quality assurance triad was established by the Higher Education Act of 1965 and only slightly refined through subsequent reauthorizations. At the heart of the triad is access to federal financial aid, through the requirements of the Title IV program, which stipulate that postsecondary institutions be *accredited* by a *recognized* accreditation agency and *authorized* to operate in the states where they are located. Federal financial aid is essential for most students to afford rising tuition rates and for institutions that use those payments as operating revenue.⁴



Institutional Accreditation: Certification by a recognized accreditation organization that a postsecondary institution meets the published standards of that accreditation organization and enables students at that institution to receive federal financial aid.



Programmatic Accreditation: Certification by a recognized accreditation organization that a specific academic program meets the published standards of that accreditation organization and enables students to qualify for specific licensures.



Recognition: Certification by the designated senior official of the federal Department of Education that an accreditation organization is empowered to accredit postsecondary institutions or specific academic programs.



Authorization: Certification by the state in which a postsecondary institution is incorporated that the institution has permission to operate within the state's jurisdiction.

⁴ "Fast Facts: Tuition costs of colleges and universities," *National Center for Education Statistics*, <https://nces.ed.gov/fastfacts/display.asp?id=76>.

The following sections provide a brief overview of each member of the regulatory triad—states, accreditors, and the federal government—and their contributions to the quality assurance process. The interaction and interrelationships among these entities are intended to ensure the quality of students’ educational experience. As many critics point out, within this system many postsecondary institutions continue to fail to serve their students effectively, so while there may be some positive effects of the triad, it certainly has room for improvement.

Authorization by State Governments

The absence of clear federal guidelines has produced inconsistent state quality standards, leading to variations in how quality is defined and measured

The Higher Education Act (HEA) gives states the responsibility of authorizing postsecondary institutions within their geographic limits but provides only minimal criteria on how states should grant this operational authorization which do not include specific measures of quality. The minimal criteria established in the HEA consist largely of having a “process to review and appropriately act on complaints concerning the institution including enforcing applicable State laws,” criteria that typically apply to all corporate entities within the state. As a result, most state authorization activity revolves around consumer protection activities, including responding to complaints and preventing blatant fraud. Each state approaches these tasks, and possibly other oversight activities, independently. For example, Illinois recently set forth standards to govern the closure of institutions that are based on specific state statutes rather than any federal requirements.⁵

The absence of clear federal guidelines has produced inconsistent state quality standards, leading to variations in how quality is defined and measured, as well as inconsistency in data sources to evaluate these metrics.⁶ Since the initial passage of the HEA there have been several federal attempts to bring additional coherence and rigor to the quality assurance process by enhancing state roles, such as creating and funding state postsecondary review entities, but those efforts have largely failed or

⁵ Gretchen Lohman and Stephanie Bernoteit, “A State Perspective on Consumer Protection in the Changing Higher Education Landscape: Practical Steps and Recommendations in Cases of Institutional Closure,” *IBHE Data Points, Illinois Board of Higher Education*, September 2019.

⁶ David A Tandberg and Rebecca R Martin, “Quality Assurance and Improvement in Higher Education: The Role of the States,” *State Higher Education Executive Officers Association*, 2019.

been struck down by courts, leaving only marginal changes since 1965.⁷ In the absence of federal legislation and in response to the rise in online learning, states have worked together to improve cross-state alignment and coordination. In 2015, 29 states adopted the Unified State Authorization Reciprocity Agreement, bringing four regional state reciprocity agreements into a national framework under the National Council for State Authorization Reciprocity Agreements (NC-SARA), which aims to lower the administrative hurdles for institutions that operate across state lines, and in doing so has contributed to more uniform authorization standards across states.⁸ All states except California and a small number of non-state territories are now a part of NC-SARA. Despite interstate organizing efforts around authorization, the fragmented state-based regulatory system has not coalesced into a national movement for minimum quality expectations or student success outcome standards across colleges and universities. Consequently, other members of the triad have assumed greater responsibility for quality assurance.

Accreditation by Accreditation Agencies

The federal government, through the US Department of Education, recognizes two different types of accreditation agencies, programmatic and institutional. Programmatic accreditors focus on the quality of degree programs in specific disciplines or professions, such as law or nursing, and often serve as gatekeepers for licensure or practice within those professions. Institutional accreditors, in contrast, consider the quality of institutions as a whole, taking a holistic view of multiple areas of institutional purpose and activity, such as mission, educational quality, student service provision, and an institution's governance, planning, and financial health. Institutional accreditors have traditionally been organized either nationally or regionally, with the regions consisting of a specific set of states and territories. Through recent federal policy change,⁹ however,

⁷ David A. Tandberg, Ellie M. Bruecker, and Dustin D. Weeden, "Improving State Authorization: The State Role in Ensuring Quality and Consumer Protection in Higher Education," *State Higher Education Executive Officers Association*, 2019.

⁸ James Dean Ward et al., "Breaking Down Barriers: The Impact of State Authorization Reciprocity on Online Enrollment," *Ithaka S+R*, 3 August 2021, <https://doi.org/10.18665/sr.315451>.

⁹ Paul Fain, "New Rules on Accreditation and State Authorization," *Inside Higher Ed*, 1 November 2019, accessed 25 April 2024,

institutional accreditors can more easily seek to accredit institutions beyond their traditional geographic regions. Despite this expanded scope, these agencies are still commonly referred to by their respective historical designation of “national” or “regional” accreditors.¹⁰ In general, any given institution needs institutional accreditation for its students to receive federal financial aid, but may also need programmatic accreditations for particular programs, such as nursing, business, or engineering. ED also recognizes foreign medical schools and the United States military academies, but those more specialized certifications are beyond the scope of this report.

Traditionally, national institutional accreditors have dealt primarily with faith-based institutions or institutions focused on specific careers and trades. There are seven historically regional institutional accreditors, which oversee the majority of colleges and universities in the country, serving 85 percent of all postsecondary students.¹¹ These are:

- Accrediting Commission for Community and Junior Colleges (ACCJC),
- WASC Senior College and University Commission (WSCUC),
- Higher Learning Commission (HLC),
- New England Commission of Higher Education (NECHE),
- Northwest Commission on Colleges and Universities (NWCCU),
- Middle States Commission on Higher Education (MSCHE), and
- Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

Each accreditation agency is made up of its dues-paying member institutions and is led by teams of professional staff members. Though each organization’s specific standards and process are different, they are all aligned with federal regulations, particularly 34 CFR Part 602. The accreditation process usually centers on the scheduling of a periodical visit by a set of volunteer peer evaluators from other institutions with comparable missions. Several years prior to the scheduled site visit, the

<https://www.insidehighered.com/news/2019/11/01/education-department-issues-new-regulations-accreditation-and-state-authorization>.

¹⁰ “Regional Accrediting Organizations,” *Council for Higher Education Accreditation*, accessed April 25, 2024, <https://www.chea.org/regional-accrediting-organizations>.

¹¹ Cameron Childress et al., “Overseeing the Overseers: Can Federal Oversight of Accreditation Improve Student Outcomes?” *Ithaka S+R*, 25 May 2022, <https://doi.org/10.18665/sr.316765>.

institution will form a cross-functional steering committee to prepare a self-study which aims to document all the ways the institution has met or exceeded the standards for accreditation since the last site visit. These self-studies reports, appendices, and supporting materials can be hundreds of pages long covering all aspects of institutional operations, from budgeting to faculty qualifications to trustee relations.

Accreditation attracts significant attention from higher education leaders, critics, policymakers, and other stakeholders because it determines whether students attending an institution can access federal financial aid.

Institutions provide the self-study and supporting documentation to the accrediting agency in advance of the peer evaluation to the institution main and branch campus sites. For many years, the self-study report was a collection of physical documents held on campus for site visitors to review in person, though most of this material is now available in a digital format. The peer evaluation visit still involves an in-person visit to an institution's physical location where evaluators may speak with students, instructors, administrators, trustees, and/or other stakeholders. The site visitors then prepare a report of their evaluation of the degree to which the institution does or does not meet the standards of accreditation. Then, following their own internal policies and processes for participation, the accreditation membership, including members of the public, vote on whether to continue, continue with qualifications, or revoke accreditation for that particular institution.¹²

Accreditation attracts significant attention from higher education leaders, critics, policymakers, and other stakeholders largely because it determines whether students attending an institution can access federal financial aid. Only students at accredited institutions can borrow from the federal government to fund their post-secondary education. In 2023, the most recent year for which data is available, the federal government provided just over \$114 billion in aid to almost 10 million students attending over 5,000 institutions.¹³ With so much money on the line, the institutional stakes for receiving and maintaining accreditation are quite high. This substantial public investment underscores the need for accreditation to ensure that federal aid is supporting high-quality education that benefits students and the public.

¹² The preceding represents an abbreviated overview of the institutional accreditation process. A fuller examination of this process is beyond the scope of this report.

¹³ "Fiscal Year 2023 Annual Report," Federal Student Aid, US Department of Education, 2023.

Oversight from the Federal Government

The federal government's role within the triad is to manage Title IV funds and enforce relevant federal laws. Its primary means of involvement in quality assurance comes through its recognition of accreditation agencies, which serve as gatekeepers for Title IV federal financial aid for students. The HEA authorizes the Secretary of Education or their designee to recognize accreditors, which in turn accredit post-secondary institutions as described above. While the HEA provides the designated ED official with full authority, the statutes also provide for the establishment of an advisory committee (NACIQI) to offer its own evaluation of accreditors seeking recognition or re-recognition as well as policy recommendations related to accreditation and certification of institutions. The committee's evaluation can consider all aspects of quality, standards, and process for each accreditor; however, ultimately the recommendation to continue recognition, or not, depends on whether the accreditor meets the regulatory requirements, not whether its institutions are achieving a non-statutory threshold of quality.

ED's process of initial recognition and subsequent re-recognition of accreditors mirrors the process that accreditors take with their institutions. Following a predetermined schedule, each accreditor prepares a set of materials to demonstrate its compliance with the many standards and expectations placed on accreditation agencies. These materials are first comprehensively reviewed by an ED staff analyst who prepares an initial report documenting the ways in which the accreditation organization has or has not met the standards for recognition. The accreditation agency under review then has an opportunity to address any deficiencies for further review by the staff analyst. The full application and ED staff recommendation are then passed along to the members of NACIQI for their review.

The NACIQI members discuss and vote on a collective recommendation at biannual meetings which are open to the public. NACIQI can recommend recognition/re-recognition of the accreditor under review or suggest that the ED designee revoke recognition for failing to meet the standards. The NACIQI recommendation, along with the ED staff recommendation, are passed along to the ED designee for a final decision. That decision, to recognize or withdraw recognition, is the primary lever exercised by the federal government to maintain quality assurance. In most cases, NACIQI recommends continuing the recognition of the accreditors that it reviews.

One recent counterexample is the case of the Accrediting Council for Independent Colleges and Schools (ACICS), which had its recognition revoked by ED.¹⁴

Understanding NACIQI

Although NACIQI is only one dimension of one part of the triad, it plays an official role in the process of recognizing accreditors in which the public can also be involved. The current incarnation of NACIQI was established in 2008 as part of the reauthorization of the Higher Education Opportunity Act. As its own website states, NACIQI “has been advising the US Secretary of Education on matters concerning accreditation, the Secretary’s recognition process for accrediting agencies, and institutional eligibility for federal student aid, through the Committee’s public meetings.”¹⁵

Importantly, NACIQI is a Federal Advisory Committee, as defined by the Federal Advisory Committee Act (FACA) and is governed by the federal rules for such committees as well as the statutes set forth in the HEA.¹⁶ Among other administrative details, these rules require that the meetings and communications of NACIQI be open to the public in most circumstances. On the one hand, this requirement brings transparency to NACIQI’s deliberations and decisions; on the other hand, it restricts interactions between members of NACIQI and other stakeholders to the few channels that meet the necessary level of transparency. *All* communication with NACIQI members is limited to only comments and questions officially submitted as part of the public comment period on its agenda of accreditor recognition and the two synchronous NACIQI

¹⁴ Department of Education, “Termination of the Accrediting Council for Independent Colleges and Schools as an ED Recognized Accrediting Agency,” August 19, 2022, <https://www.ed.gov/acics>.

¹⁵ “National Advisory Committee on Institutional Quality and Integrity,” US Department of Education n.d., <https://sites.ed.gov/naciqi/>.

¹⁶ “Federal Advisory Committee Act (FACA) Management Overview,” US General Services Administration, <https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-management>.

meetings. In fact, the NACIQI website welcome page itself includes the admonishment:¹⁷

Per the FACA, public comments are solicited by a Federal Register notice announcing each meeting. Only comments submitted in accordance with the Federal Register will be considered. Please do not contact members directly.

Membership

The appointment process for members is set forth in the HEA regulations that establish NACIQI. The 18 members are appointed by various leaders within the federal government. The Secretary of Education appoints six individuals, including the student member of the committee. The majority and minority leaders of the House of Representatives each recommend three members, who in turn are formally appointed by the Speaker of the House. Similarly, the minority and majority leaders of the Senate each recommend three individuals who are appointed by the President pro tempore of the Senate. NACIQI's members select its Chairperson and Vice-Chair from among themselves.¹⁸

Department of Education Support

While not explicitly laid out in statutes establishing NACIQI, there is also robust ED staff involvement in the accreditor recognition process. Members of the Accreditation Group (AG) within ED provide administrative and logistical support to the process, including independently reviewing recognition materials from accreditors and making recommendations to the Secretary or their designee in tandem with NACIQI's own recommendation.¹⁹ It is the AG staff analysts who have the most contact

¹⁷ "National Advisory Committee on Institutional Quality and Integrity," US Department of Education, <https://sites.ed.gov/naciqi/>.

¹⁸ "Membership," US Department of Education, n.d., <https://sites.ed.gov/naciqi/members/>.

¹⁹ "College Accreditation in the United States-- Pg 1," Educational Guides, US Department of Education, 10 April 2024, <https://www2.ed.gov/admins/finaid/accred/accreditation.html#Overview>.

with accreditors throughout the recognition process and it is the staff report that NACIQI members review during their biannual meetings.

Meeting Structure

NACIQI's biannual meetings usually last three days during which multiple accreditors will have their applications for recognition or re-recognition discussed. The meeting agendas specify the accreditors to be discussed and are published several months in advance. Each accreditor discussed during the meeting is first introduced by a member of NACIQI. The AG staff analyst who reviewed the accreditor's materials then briefly presents their review of those materials. Representatives from the accreditor are then able to make their own presentation to the committee, followed by questions from the committee members. Any third-party commenters who requested to present on the accreditor in question are also invited to participate and respond to questions from the committee members. With the formal presentation and question periods completed, there is an open, public discussion among the committee members, followed by a vote on their recommendation to the Secretary or their designee.

These meetings are also where NACIQI members report on and discuss various subcommittee reports prepared by their fellow members. Subcommittee reports cover a variety of NACIQI activities and interests, including issues of student success,²⁰ NACIQI's regulatory environment,²¹ and the use of data dashboards by accreditors.²² The reports are intended to provide members with a deeper understanding of specific issues related to higher education and to advocate for other stakeholders in the quality assurance ecosystem to act within their own statutory mandates, especially where NACIQI itself cannot. These reports support NACIQI's broader mandate to make policy recommendations on accreditation beyond its role in institutional certification.

²⁰ "Student Success Subcommittee Report," NACIQI, n.d., <https://sites.ed.gov/naciqi/files/2021/08/NACIQI-Subcommittee-Report.pdf>.

²¹ "Policy & Process Recommendations," NACIQI, accessed 10 May 2024, https://sites.ed.gov/naciqi/files/2023/08/NACIQI-2023-Report_Regulatory-Recommendations-1.pdf.

²² "Accreditation Dashboard Subcommittee Data Use Report," NACIQI, accessed 10 May 2024, https://sites.ed.gov/naciqi/files/2024/03/Accreditation-Dashboard-Subcommittee-Data-Use-Report-Final_2024-02-16.pdf.

The Recognition Process

In order to achieve or maintain recognition, accreditors must prove that they are in compliance with the criteria for recognition, which are outlined in the HEA. The process begins with accreditors submitting extensive applications, often totaling thousands of pages, that demonstrate compliance with the various criteria. This submission occurs two full years prior to the NACIQI meeting where it will be discussed. The long lead time allows for staff review and for publication of the agencies' submissions in the Federal Register and provides an opportunity for public comment.

A staff member of the ED Accreditation Group (AG) then reviews the submitted materials, conducts site visits at the agency itself, as well as makes note of any public comments. The ED staff member then prepares an initial written analysis of the application materials to share first with the agency itself. The agency then has at least 180 days to respond to that analysis and submit additional information or documentation. With those new materials in hand, the ED staff member prepares a final written analysis delineating the agency's level of compliance with each of the recognition criteria and a summative recommendation to the senior ED official as to whether to recognize, or continue to recognize, the agency. This final analysis and recommendation are also provided to NACIQI no later than 30 days before the meeting at which the agency's recognition will be discussed.²³ After that discussion, NACIQI's recommendation and the ED staff member's report and recommendation are passed along to the senior ED staff official who makes the final determination of recognition for each accrediting agency.

Although an essential and required part of the quality assurance process, NACIQI's role is proscribed and greatly circumscribed by the federal statutes that govern its operation. Even with that strict set of constraints, however, individual NACIQI members find ways to influence accretor action and activity by leveraging the human elements of the bureaucratic process. Examples of this leverage can include asking questions during meetings, filing comments in advance of meetings, and advocating for change through subcommittee work. Considering the political hurdles to

²³ "34 CFR 602.32 – Procedures for Submitting an Application for Recognition, Renewal of Recognition, Expansion of Scope, Compliance Reports, and Increases in Enrollment," Code of Federal Regulations, National Archives, accessed May 17, 2024, <https://www.ecfr.gov/current/title-34/part-602/section-602.32>.

reforming the bureaucracy through HEA amendments, a more fruitful approach may be to focus on the human dynamics between the accreditation agencies, the agency leaders, NACIQI, and its individual members. As such, this research focuses on the ways in which the NACIQI review process influences accreditors outside of the limits of statutory responsibility.

Methodology

Interviews with NACIQI members and accreditation leaders

To better understand the human dynamics between NACIQI and the accreditors it recognizes, we sought to interview current and former members of NACIQI as well as the leaders of accreditation agencies recognized by NACIQI. We chose to focus on the relationship between the NACIQI committee members and the accreditor leadership because of the integral and legally mandated role NACIQI plays in the recognition process and because the nature of this relationship has not previously been explored in the research or practice literature. The statutory requirements of the various stakeholders in the accreditor recognition process are well defined, but these regulations do not fully describe the nature of these relationships, nor do they capture all the ways in which NACIQI members can exert influence on accreditor leadership.

Participants

Throughout this project, we interviewed 11 stakeholders with personal experience in the NACIQI recognition process. This group of participants includes seven current or former accreditation agency senior leaders, two former NACIQI members, and two current ED staff members. Since we were interested in a very small population of potential participants and were not planning to generalize beyond those directly involved in accreditor recognition, we employed a snowball sampling strategy.

We first contacted the executive officers of 11 regional and national accreditation agencies, which collectively accredit institutions enrolling 99 percent of all undergraduate, degree/certificate seeking students

receiving federal financial aid. We also contacted current members of NACIQI, which unfortunately yielded no additional participants. As noted previously, NACIQI's strict transparency rules provide limited opportunities for NACIQI members to engage with non-members about NACIQI business. No current members agreed to our request for a confidential interview, either by not responding to our inquiry or actively declining it. Of those members who actively declined, three indicated that they did so on the advice of ED Office of General Counsel. However, snowball recommendations from our conversations with accreditation leaders led us to two former NACIQI members and two ED staff members not directly involved in NACIQI's business. We offered all participants confidentiality in regard to their participation.

Data and Analysis

For each interview, two members of the research team virtually interviewed participants for approximately 60 minutes. We recorded and automatically transcribed the interviews using a videoconferencing platform. The interviewers also took detailed contemporaneous notes during the interviews and discussed initial impressions following each session. These efforts resulted in dozens of pages of interview transcription to review and analyze.

Multiple members of the research team used inductive coding to analyze the transcripts through the lens of our research questions. We started by coding the first transcript separately, then meeting to discuss our respective codes together. With a shared understanding of the emerging codes in hand, we then separately coded a second transcript using the agreed upon codes to ensure consistency. Following a second norming session and confirmation of the basic coding structure, we created a codebook to guide the remaining transcript analysis.

As additional research team members joined in the effort to review and analyze the transcripts, they were trained using the codebook developed by the initial two researchers. Throughout the data analysis, the codebook was updated multiple times through a process of independent code development and collective norming by members of the research team. Ultimately, we identified 14 codes and 28 sub-codes which focused on stakeholders, communication, relationships, and goals. These codes became the foundation of our analysis and understanding of the relationship between NACIQI, its accreditors, and other stakeholders in the quality assurance ecosystem.

Findings

The Relationship Between NACIQI and Accreditors

So much of the relationship between NACIQI and the accreditors is determined by federal statutes and its required processes that it can be difficult to discern the more sustained points of contact and influence that exist between the various stakeholders. An examination of only the required interactions between NACIQI and accreditation agencies—public meetings, submission of documents, etc.—might suggest that their relationships are largely transactional, bureaucratic, and scheduled. Our research reveals, however, a more nuanced, dynamic, and responsive network of communication, action, and reaction, albeit one that is rife with inefficiency and oblique interpretation rather than direct and frank exchange. Below we highlight aspects of the relationship between NACIQI and the accreditors that extend beyond what is publicly documented in the public meeting recordings and federal statute requirements.

Iterative Calibration

A hallmark of the relationship between NACIQI and the accreditors is iterative calibration, wherein members of the relationship adjust and align their own actions and expectations based on cues and observations of others within the relationship network, rather than through direct communication. The accreditors are highly attuned to the public statements and activities of NACIQI, especially the priorities and preferences expressed by NACIQI members during interactions with *other* accreditation agencies. These observations influence the approach and emphasis of the next several accreditors that NACIQI will review, thereby calibrating the accreditors' submissions to the perceived priorities of NACIQI members.

This mode of influence is limited, however, to the margins of policy and process because the criteria for recognition are already set by statute and regulation. These limits are well illustrated by NACIQI's interest in complaint processes over the past several years. The regulations require that accreditors a) have means of receiving and reviewing complaints against its accredited institutions and programs (or itself) and b) that the

institution or program receiving the complaint can respond to that complaint in a “timely, fair, and equitable manner.”²⁴ How accreditors implement these processes has been a focus of conversation over the past several NACIQI meetings, with members raising concerns about a lack of guidance for complainants, accessibility, and transparency of the complaint process and its outcomes, and whether anonymous complaints should be accepted.²⁵

“Well, we knew the players... We do very extensive homework to see what might be their interest and what their hot points would be.”

- Accreditation agency president

Accreditation agency leaders actively responded to the attention paid to the complaint process by NACIQI members during the public meetings. In some cases, the accreditors clarified or updated their own complaint processes after observing the NACIQI members’ concerns about and priorities for the complaint process. Those accreditors actively preparing for review at subsequent NACIQI meetings made sure to prepare real-time responses to critical questions about their complaint processes that could be presented orally during their review meetings because the opportunity to provide additional written materials had already passed.

“I think there are mechanisms of individuals of influence that are not necessarily within the regulations.”

- Former NACIQI member

This extended focus on the complaint process, spanning the last several NACIQI meetings and taking up a large portion of a sub-committee report,²⁶ illustrates how constrained NACIQI members and accreditors are

²⁴ “eCFR: 34 CFR Part 602 – The Secretary’s Recognition of Accrediting Agencies,” Code of Federal Regulations, National Archives, accessed 3 June 2024, <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-602>.

²⁵ “Advisory Committee Meeting Minutes, 7-19-22,” NACIQI Videoconference, 2022; “Advisory Committee Meeting Minutes, 7-20-22,” NACIQI, 2022; “Meeting Minutes,” NACIQI, 1 August 2023, https://sites.ed.gov/naciqi/files/2023/03/Day-1-Transcript_Final_NACIQI-Winter-2023-2.pdf.

²⁶ “Policy & Process Recommendations,” NACIQI.

in having frank conversations about what individuals on both sides of the recognition process would prefer to prioritize. Despite the restrictions on real-time communication, accreditors responded to the interests and priorities of NACIQI members as expressed during the public meetings.

“I had seen other agencies come [to NACIQI] before me and the questions didn’t tend to vary much among the agencies.”

- Accreditation agency president

These areas of discretionary conversation, however, remain far from the core priorities of quality assurance, such as retention, graduation, and post-graduation success in part because the HEA prohibits the federal establishment of student success criteria. Although the HEA requires that accreditors “shall include an appropriate measure or measures of student achievement,” it also does not “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.”²⁷ While issues of student achievement are raised with accreditors at the NACIQI meetings and members discuss the establishment of benchmarks, such “bright-line” criteria cannot be part of the recognition standards or decisions around compliance with those standards.

“...why no advanced questions? No prep that we were allowed to do... and no information in front of us that we could [use to] respond.”

- Accreditation agency president

²⁷ “Higher Education Opportunity Act,” Pub. L. No. Public Law 110–315, 14 August 2008, <https://www.govinfo.gov/content/pkg/PLAW-110publ315/pdf/PLAW-110publ315.pdf>.

“...intensive in a way that doesn’t add value.”

- Accreditation agency president

Statutory Limitations on Communication

In discussing a recent regulatory sub-committee report, one of the report’s authors noted that NACIQI members themselves have to submit questions through the federal register a year in advance so as not to surprise accreditors during the NACIQI meetings while their recognition is under review.²⁸ Likewise, the accreditation organization leaders expressed frustration about the lack of communication with NACIQI members before the meetings. Several accreditors indicated that they wish they could have the opportunity to respond to NACIQI members’ questions with updated materials or more specific metrics, but there is no mechanism through which that information can be presented in real time. Both sides of the recognition process, NACIQI members and the accreditation organizations, express a desire for easier, timelier, and more productive communication.

“...there’s some mismatch there in terms of... the information available, and what’s talked about.”

- Former NACIQI member

Administrative Challenges

Accreditors’ frustration with the difficulty of sharing information with NACIQI members persists even though they prepare and share volumes of materials in advance. One agency president described the materials prepared for the re-recognition process as a “multi-thousand-page document that takes us a year to produce” while another said the preparation process took “forever.” All of the agency presidents lamented the time and resources involved in preparing the necessary materials for the re-recognition process and did not indicate they added value to the quality assurance process. Given how far in advance the materials need to

²⁸ “Meeting Minutes,” NACIQI, https://sites.ed.gov/naciqi/files/2023/08/NACIQI-Summer-2023-Meeting-Day-1-Transcript_Final.pdf.

be submitted, one president called their organization's materials "immediately outdated."

"It's enormous, it's absolutely enormous."

- Accreditation agency president

Several of the accreditors also expressed confusion and consternation at the changes in the regulations that occurred when US presidential administrations changed. Since the re-recognition materials were submitted years in advance, these regulation changes would occur after accreditors had submitted their materials but before the NACIQI meeting to review the accreditor had been held, leaving the accreditation agencies unclear about the specific evidence required to demonstrate their compliance with the standards of recognition. Perhaps related to the general skepticism about the added value of their voluminous submissions, none of the accreditors indicated that the regulation changes contributed to better quality assurance but were more bureaucratic hoops to navigate.

These challenges were exacerbated by the technology system used by ED to receive the various supporting materials from the accreditation agencies. Several of the accreditation agency presidents complained about the platform ED uses to collect and organize the evidence required for the re-recognition process. One president noted, "It was a complicated procedural task to assemble a lot of examples. It was made infinitely harder by a cumbersome computer system."

It should be noted that the amount of evidence that ED required of accreditors seeking re-recognition was previously less extensive. In 2013, the then-director of the Accreditation Group announced a policy of focused review²⁹ which allowed accreditors, in most circumstances, to submit evidence for a more limited set of criteria that were considered most relevant to quality assurance. Just a few years later, however, the Department of Education revised a host of regulations around

²⁹ Kay W. Glicher, "Notice to Agencies Focus Review," United States Department of Education, Office of Postsecondary Education, 3 June 2013, <https://www.ed.gov/sites/ed/files/about/offices/list/ope/noticetoagenciesfocusreview.pdf>

accreditation,³⁰ requiring the focused review guidance to be updated to remain in force, a step that has not yet been taken.

The Role of the Staff Analyst

There is one additional stakeholder in this process that receives very little public attention despite the major role they play in the process. The ED staff analyst arguably has a deeper relationship with the accreditors than does NACIQI or its members, with one president calling the staff analyst they worked with a “critically important partner.” A former NACIQI member also noted that “there’s no way a volunteer [NACIQI member] is going to do the kind of analysis a staff member can do,” highlighting the difference in the time and attention an accretor’s re-recognition application receives.

The staff analyst reviews all of the supporting material submitted by the accretor and spends up to two weeks with the accreditation agency staff conducting the site visit as part of the re-recognition process, although the COVID-19 pandemic disrupted this practice to varying degrees for specific accreditors. Based on this review, the staff analyst submits a final recommendation on behalf of the Accreditation Group to the senior ED official alongside the recommendation from NACIQI, giving the analyst an important role in the process that is largely undefined by the HEA. Despite their potential influence, however, another former NACIQI member indicated the analysts “rarely inserted themselves into the process other than clarifying any questions” members might have on the documentation that was submitted.

Using Data and Dashboards

One of the most public changes to the quality assurance ecosystem in the past several years has been the introduction of accretor dashboards, first called for by NACIQI and piloted by ED in 2015 and 2016.³¹ The dashboards track a variety of institutional metrics gathered from various government sources for all institutions participating in Title IV financial aid aggregated for all institutions accredited by each recognized agency. The goal of collecting and reporting these data in this way is to provide a more

³⁰ Andrew Kreighbaum, “Rewriting the Rule Book for College Accreditors,” *Inside Higher Ed*, 11 June 2019, <https://www.insidehighered.com/news/2019/06/12/trump-administration-issues-proposal-loosen-standards-college-accreditors>.

³¹ “Considering Performance Data, Decision Activities, and Student Achievement: A Pilot Project,” Department of Education, 2016, <https://sites.ed.gov/naciqi/files/naciqi-dir/2016-spring/pilot-project-march-2016.pdf>.

accessible and objective reporting of how the accreditors are supporting quality among their institutional members.

Despite the attention that the dashboards have received from NACIQI in the past several years, including a published sub-committee report,³² the accreditation presidents reported limited impact on their operations, standards, and accreditation actions taken with member institutions. Most presidents discussed the dashboards as part of a constellation of information they have about their member institutions, including their own dashboards, data from IPEDS, and other indicators they collect. These data points taken together helped inform their accreditation decisions, but no single metric was determinative.

The presidents described the dashboard as adding to the bigger picture of an accreditor's membership, but that the metrics provided needed to be considered in context. For example, one president posited a hypothetical institution that had a 22 percent graduation rate raising the question of "...what does that mean? Who are the students that they're serving? How many of them are part-time? ...there just too many other pieces that impact statistics that are not expressed and those dashboards." The aggregate data for an accreditor with many institutions enrolling historically under-served students would look different than an accreditor with a larger proportion of research universities. In some cases, the NACIQI dashboards were redundant with the data accreditation agencies already used to understand their membership as a whole.

Changing Accreditation Standards

The accreditation agency presidents described the revision process for their organization's standards as operating independently of and with little influence from NACIQI. This observation is not to suggest that the standards do not change, only that, according to our interviewees, the changes to accreditation standards are not the result of NACIQI or the federal recognition process. Most presidents we interviewed described an internally driven review and revision process for standards that operated independently of any engagement with NACIQI. As one president put it, "...it's not a matter of changing because we have to because of NACIQI, it's a normal process for us." This reported lack of influence on standards was

³² "Accreditation Dashboard Subcommittee Data Use Report," NACIQI <https://sites.ed.gov/naciqi/files/2024/03/Accreditation-Dashboard-Subcommittee-Data-Use-Report-Final-2024-02-16.pdf>.

also observed by one of the former NACIQI members, who noted that new members would join with expectations of “making a difference in a national stage on institutional quality,” but not being able to do so.

While accreditation agency leaders we interviewed indicated that their organization’s standards did not change in response to NACIQI discussion or action, the agencies’ policies and procedures were more responsive. Due to its recency, notoriety in the media, and the number of accreditation agencies involved, the changes to complaint policies described above were an area of focus in our interviews. It is possible that other areas of accreditor policy and procedure have also been amended based on attention from NACIQI members to the topic, but no other examples arose in our interviews with accreditor presidents.

Recommendations

There are many stakeholders in the quality assurance ecosystem with an interest in the relationship between NACIQI and the accreditors, including the ED staff, higher education institutions, and the public. The recommendations below are broadly applicable to any stakeholder looking to observe or influence that relationship to support quality improvement. With no changes to the HEA likely in the near term, some of the suggestions we offer may need to wait for a different legislative environment.

- *Exempt NACIQI from FACA Restrictions on Communication.* One of the greatest barriers to the relationship between NACIQI and the accreditors is the former’s status as a federal advisory committee. There are myriad rules and regulations for such entities that create friction in the kind of frank and free-flowing communication that promote collegial relationships to which many in higher education aspire.³³ Much of the data ultimately reviewed by NACIQI is out of date by the time it is reviewed by the members because of the long lead times for material submissions required by FACA regulations

³³ “FACA 101,” US General Services Administration, accessed 17 July 2024, <https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-management/increasing-the-transparency-of-federal-advisory-committee-act-information/what-is-faca>.

and other administrative limitations. More opportunities for accreditors, NACIQI members, and ED staff to be in sustained, synchronous conversation about higher education quality will advance them towards their shared goals more effectively than a few hours together in a high-stakes, potentially antagonistic encounter every five years.

- *Establish New Expectations for NACIQI Meetings.* By statute, NACIQI meetings are the time for accreditors and members to discuss applications for recognition, but such meetings could be designed to better focus on shared priorities, such as student success. A more collegial approach, with a shared process of agenda development, could reduce the adversarial nature of NACIQI's relationship with accreditors and make their time together more meaningful. Of course, a cooperative approach would reduce the oversight aspect of the relationship between NACIQI and accreditors. This tradeoff may be beneficial given that accreditation presidents report NACIQI's current role wielding little influence of their policies and practices.
- *Increase Stakeholder Data Fluency.* The institutional and accreditor dashboards provide a wealth of information about complex and multi-faceted organizations. Unfortunately, this information does not often reach stakeholders, like students or institutions, who could use the data to make informed decisions. NACIQI, ED, or other interested parties should identify potential audiences for these data and provide guidance and support on how to best make use of what information is available.
- *Broaden the Focus to Other Stakeholders.* While NACIQI plays a key and public role in the recognition process through its biannual meetings, the role of the ED staff analyst is often obscured. The analysts provide the initial review of accreditor evidence supporting their compliance with the criteria for recognition and are a resource for accreditation agency staff throughout the process. Given the limitations on communication with members of NACIQI, it may be possible for interested parties, such as students or outside experts to engage with other parts of the quality assurance ecosystem more meaningfully to support student learning and success, such as state authorization boards, ED staff members, or the accreditation process itself.

- *Improve Recognition Process Deliverables.* Accreditors often describe the self-study process they require of their institutions as an opportunity for collective reflection, visioning, and planning; however, the recognition process does not afford accreditors this same opportunity to meaningfully incorporate recognition into their own organizational planning. To the degree possible afforded by statute and regulation, the recognition process and the deliverables arising therefrom should be designed such that materials produced meaningfully align with each accreditation organization's own strategic and informational needs as well as those of ED and NACIQI.

Conclusion

Given how proscribed the relationship between NACIQI and the accreditation agencies is and statutory limitations on routine communication between NACIQI members and accreditors, it can be difficult to identify how that relationship can be leveraged to support quality in higher education. That being said, our research with a select group of accreditation agency presidents and former NACIQI members does suggest ways that the two groups do influence each other through more indirect means. Until legislative changes to the HEA allow for a closer collaboration, accreditors and NACIQI will be required to hold each other at arm's length, aware of each other's shared goal of increasing quality, but forced to maintain separate paths towards that goal.

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