



June 22, 2009

The Honorable Arne Duncan, Secretary  
U.S. Department of Education  
Washington, D.C. 20001

Dear Mr. Secretary:

On behalf of nearly 600,000 students in 46 states across the U.S. and nine other countries enrolled at one of 763 institutions we accredit, the Accrediting Council for Independent Colleges and Schools appreciates the opportunity to participate in the hearings process. ACICS supports the Department's interest in establishing a new round of negotiated rulemaking and in clarifying and fortifying regulations that balance and protect the interests of taxpayers, students and proprietors of career education.

ACICS is the largest accreditor of degree-granting career colleges in the U.S. ACICS has been recognized as a reliable authority on institutional quality by the Department since 1956, and is also recognized by the Council on Higher Education Accreditation. Our legacy includes nearly a century of rigorous, methodical and voluntary quality assurance for post-secondary education, starting primarily with business schools, then evolving to include applied education in technology, criminal justice, culinary, architecture, design and allied health. ACICS will celebrate its 100<sup>th</sup> Birthday as an accrediting body in a little more than two years.

The ACICS scope of recognition includes certificate, diploma, associate's, bachelor's and master's degree programs in professional, technical and occupational fields. The scope includes all 50 states and U.S. territories. ACICS accredits proprietary institutions as well as private, not-for-profit institutions.

As an authority with explicit responsibility for institutional quality and integrity, ACICS has a direct interest in many of the issues mentioned in the Federal Register on May 26, 2009. For purposes of the initial public outreach, ACICS offers perspective on three issues that were listed in the Federal Register: satisfactory academic progress, gainful employment in a recognized occupational field, and institutional integrity in states that lack an authorization or licensing agency for career colleges. ACICS's perspective is offered to inform policy considerations in a manner that is relevant and supports the ability of member institutions to meet the needs of adult learners and working students.

Satisfactory Academic Progress – Regarding satisfactory academic progress, ACICS has developed clear, rigorous quantitative standards to ensure that the awarding of academic credit is commensurate with the duration and quality of contact between faculty and

students. ACICS criteria also ensure that the amount and nature of this interaction through lectures, labs, practical and mixed modes of instruction is appropriate for the specific educational program under review. Those standards are applied routinely to ACICS institutions through on-site peer evaluation audits. Institutions found to be out of compliance with the standards are sanctioned and provided strong incentives to modify programs and practices to ensure that students are gaining incremental and continuous academic benefit from their investment of time and resources.

ACICS has adapted its standards and methods for evaluation of institutional integrity to reflect the alternate modes of delivering education that are increasingly popular and prevalent. As more instructional activity migrates to on-line and distance education platforms, ACICS will continue to ensure comparability with on-ground standards for awarding academic credit and to provoke substantive dialogue with the institutions we accredit about the best way to ensure that students are deriving educational value from the venues provided for instruction.

Gainful Employment – Regarding definition of gainful employment in a recognized occupation, ACICS has memorialized strong standards and requirements in order to shape the programs of career colleges toward outcomes that lead to job placement in fields related to the course of study. These standards are based upon specified formulas for calculating placement rates and operational definitions of terms such as “employment in a field.” The standards include a requirement for all institutions to report each year job placement rates of their graduates, documentation of those rates in a manner withstands the scrutiny of an audit, and enforcement of progressive conditions and sanctions in the event placement rates fall below accreditation standards.

Again, the primary transaction derived by ACICS institutions goes beyond compliance; it includes an on-going substantive dialogue about best practices in developing and delivering career education in response to local workforce need; and it includes requiring a strong student support system for job hunting, researching job openings, coaching on effective interaction with prospective employers, and follow-up mechanisms to prevent job seekers from falling between the cracks, even in a contracted economy.

Absence of State Regulation – Finally, ACICS has enjoyed a strong and on-going relationship with state regulatory interests in California, enforcing a high standard of excellence and compliance even after the sunset of the state regulatory agency. Specifically, ACICS has required all of its accredited institutions in California to voluntarily comply with the consumer protection and accountability standards of the expired vocational education act. ACICS has been circumspect about approving any initial grants of accreditation for any institution lacking prior regulatory authority from the State of California, and we continue to work with the policy makers in Sacramento to craft a new regulatory scheme that will serve the interests of students, taxpayers and career colleges in a balanced, even-handed manner.

In closing, when ACICS last presented information to the Office of the Secretary, the focus was on gathering information by the Department in anticipation of a first round of negotiated rulemaking pertaining to the implementation of the Higher Education Opportunity Act of 2008. ACICS offered perspective on the constrained ability of

students who enroll at one of our institutions to transfer academic credit for the purpose of completing their studies at another institution. Congress identified the lack of transferability of academic credit between collegiate institutions as a persistent issue, defiant of resolution by the education enterprise, policy makers and tax dollar appropriators.

While the Department and other rulemaking negotiators made good progress in giving shape to the statutory provisions, ACICS would be remiss if we did not encourage the Secretary and Office of Post-Secondary Education to remain vigilant and persistent in requiring fidelity by all institutions to the spirit and the letter of the law. Beyond compliance, we encourage the department to engage those institutions resisting the transfer of credit regulations in a dialogue about best practices, administrative barriers to the timely review of student transcripts, and other misalignments of policy that short-change the earnest and good-faith efforts of adult learners to participate more fully in economic opportunity through career education.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.C. Gray', written in a cursive style.

Albert C. Gray, Ph.D.  
Executive Director and CEO

Cc: Mr. Robert Shireman, Assistant Secretary of Education  
Judith Eaton, CHEA