

Cooley

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Reacting to ongoing concerns and complaints expressed by members of Congress and others, the accrediting community has been very busy introducing new policies and procedures and refining their respective processes in preparation for the looming reauthorization of the Higher Education Act. In previous [alerts](#) we explored important changes by the WASC Senior College and University Commission and the Distance Education Accrediting Commission (DEAC) that clarified policies on collaboration with "enablers" and other non-accredited entities, and by WASC that provided a pathway for the incubation of new institutions within the structure of already-accredited schools. Now the Middle States Commission on Higher Education (MSCHE) has weighed in with both new standards and further proposed changes to its processes.

In 2014 the Commission approved revised Standards for Accreditation and Requirements of Affiliation, which will be implemented and utilized in evaluation visits starting in 2017-2018. Although already enacted, MSCHE has taken the unusual step of establishing a [Collaborative Implementation Project](#) to examine the impact the revised standards and requirements will have on institutions, evaluation teams and the Commission's decision making processes. The Project involves a cohort of 15 institutions that will apply the revised standards toward the development of their respective self-studies and preparations for the scheduled evaluation visits in 2016-2017. The Commission has said that the collective experiences of this cohort will be used to inform and guide the full implementation of the accreditation standards and requirements for institutions throughout the region.

Our review of the changes reveal that the Commission has expanded the Requirements of Affiliation, articulating four "guiding principles" to provide both a focus and overarching context for the revisions:

- Reaffirmation of the centrality of institutional mission;
- Emphasis on the student learning experience;
- The importance of continuous improvement; and
- Encouraging innovation.

Consistent with external pressure to make accreditation more outcomes-oriented, the changes appear to be intended to underscore the value and importance of cultivating a "student-centered" perspective as a foundation for the accreditation process. The revision has also simplified the standards, reducing the previous fourteen to [seven](#), in the process simplifying many elements and reducing redundancies.

Key changes proposed in accreditation processes

Not surprisingly, MSCHE has also revisited its accreditation processes in conjunction with the revision of its standards, providing the Commission with an opportunity to make refinements in areas that have been identified as problematic, to align the accreditation processes with the revised standards and, of particular importance, to re-envision aspects of those processes that have changed only slightly since the Higher Education Act was enacted in 1964.

The [proposed changes](#) represent an overall welcome effort to respond to those who have challenged elements of the accreditation process as both unnecessarily burdensome and ineffective in overseeing institutional conduct:

- **Reducing the current ten-year evaluation cycle to eight-years for the conduct of institutional self-studies.** Whether this change will satisfy those critics who have complained that too long a period elapses between reviews, the shortening of the

cycle represents a compromise between closer scrutiny and the considerable burden on institutions to conduct a comprehensive review.

- **Creating a two-pronged approach for accreditation reviews, with self-studies focusing on initiatives and improvements and a separate on-site evaluation visit and an off-site document review focused on compliance.** This strategy replaces the current process that requires institutions to incorporate in a single self-study both compliance with standards (including regulatory compliance), and narrative description of their improvement efforts. Usefully, the compliance document review would occur prior to and inform the self-study site visit.
- **Electronic submission of an Annual Institutional Update regarding current and ongoing developments that Commission staff will review and provide feedback .** This process should enhance communications between MSCHE and institutions at a level that the current Annual Institutional Profile does not offer, making the Commission more promptly aware of changes and advising the institutions of potential concerns. Institutions that do not receive recommendations will not be required to provide updates on already-reported institutional improvements; those that do will be expected to respond to the recommendations in the next annual update. For institutions found to be in compliance with the accreditation standards, the proposed Annual Institutional Update would eliminate the need for the submission of a separate Follow-Up Report. Institutions found not to be in compliance with the accreditation standards would be required to submit reports requested by the Commission.
- **Mid-Point Peer Review to replace the current Periodic Review Report.** Between the proposed eight-year Self Studies, information secured through the Annual Institutional Update would be reviewed by peer evaluators, but would not require the submission of a separate report by the institution. Unless an issue of noncompliance is discovered during this process, the Mid-Point Review would not result in a separate accreditation action.

If the changes are adopted by the Commission at its November meeting, member institutions will have an opportunity to vote on the proposed changes in December, 2015. If the changes are approved, it is expected that shortly thereafter MSCHE will publish a plan for their implementation in 2018-2019.

While these changes generally appear to move in a positive direction, there are issues that warrant further clarification, such as the implications of shifting the source of the recommendations for institutional improvement from an evaluation team to the Commission, the sufficiency of guidance regarding the scope and nature of the required data and data analysis, and anticipated alignment between the off-site data review and the on-site evaluation visit. We will be closely monitoring developments.

This alert has been prepared by the attorneys and professionals in Cooley's Accreditation Practice, each of whom has had hands-on experience as senior executives and managers with regional and national accrediting agencies or at the accreditation branch of the U.S. Department of Education.

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