

June 9, 2016

The Honorable John King  
Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202

The Honorable Ted Mitchell  
Under Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202

Dear Secretary King and Under Secretary Mitchell:

On June 22<sup>nd</sup>, the Department of Education's National Advisory Committee on Institutional Quality and Integrity (NACIQI) will consider applications for renewal of recognition from various accrediting agencies, including the Accrediting Council for Independent Colleges and Schools' (ACICS).<sup>1</sup> In advance of the June NACIQI meeting, my staff has prepared the attached report, which examines ACICS's performance as an accreditor and broader issues of the Department's oversight of accreditors.

As gatekeepers to federal funding, accrediting agencies play a crucial role in promoting student achievement and institutional quality at institutions of higher education. The findings in the attached report, however, detail an appalling record of failure on the part of ACICS to serve as an effective guarantor of institutional quality and gatekeeper for billions of dollars in federal student aid funding. These failings stretch beyond ACICS's decision to continue accrediting campuses of the fraudulent Corinthian Colleges until the for-profit's ultimate collapse; analyses have found that ACICS also accredited an additional sixteen institutions that have faced investigation by state or federal agencies.

The attached report also details NACIQI's own troubling track record of weak oversight when it comes to holding accrediting agencies accountable for their failures and ensuring that an agency's stamp of approval has real value for students. Indeed, it appears that NACIQI has

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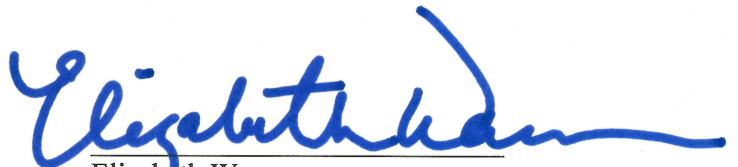
<sup>1</sup> Department of Education, National Advisory Committee on Institutional Quality and Integrity Meeting, *Federal Register* 81: 53 (March 18, 2016) (online at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-18/pdf/2016-06169.pdf>), p. 14846-14849.

wielded a rubber stamp for problematic accreditors, which have then applied their own rubber stamps for dozens of problematic colleges to access billions in federal aid dollars. Meanwhile, students and taxpayers have paid the price.

I know the Department is carefully considering the public comments it received regarding ACICS's petition for renewal and has pledged to improve its oversight of accreditors. The Department's oversight of accreditation agencies must also involve detailed planning for instances when an accreditor's recognition is denied. Current law provides for a period of time when colleges certified by a now-defunct accreditor may maintain accreditation while seeking a new agency, but the Department should consider providing additional information to colleges and taking other steps to facilitate a transition between accrediting agencies. The absence of such a plan limits the Department's viable options when an accrediting agency's behavior warrants aggressive action to protect students and to hold failing accreditors accountable. Indeed, it's the very definition of "Too Big to Fail".

As the Department and NACIQI approach this month's hearing, I urge the Department to carefully consider the findings highlighted in the attached report—many of which have been raised in comments and reports from concerned stakeholders—and to take strong, aggressive action to hold ACICS accountable for its dismal record of failure.

Sincerely,



Elizabeth Warren  
United States Senator