



Writing Comments on the Proposed Federal Rule Changes on Accreditation: A How-To Guide for AFT and AAUP Members

Background: The U.S. Department of Education’s Accreditation, Innovation, and Modernization committee has published a [notice of proposed rulemaking](#). If approved, this would enact major changes to the accreditation process for U.S. institutions of higher education, many of them severely detrimental to student access, academic freedom and the political independence of accreditors.

The department is obligated by law to consider and respond to all public comments on the proposed changes. **The deadline for submitting comments is Sept. 21.**

General considerations for submitting comments:

- Submit comments and encourage your members and colleagues to do the same. A high volume of comments demonstrates public engagement and creates a record of known problems with the content of the NPRM.
- Write your own unique comment and encourage others to do the same. Form letters, even in high volume, can be batched and responded to as if they were just a single comment.
- Wherever you can, cite specific language in the NPRM and specific problems it would create on your campus (see “specific issues” section below).
- You may use [this portal](#) to submit your comments. Note that you can type your comments directly into the portal.

Specific issues to address in comments:

- *Student access:* The NPRM would require accreditors to assess programs’ retention and completion rates, standardized test scores and postgraduation earnings. These changes are likely to entrench existing socioeconomic disparities rather than mitigate them, encouraging institutions to focus on admitting students whose backgrounds are less likely to jeopardize their accreditation status. Relevant NPRM sections: §602.17(a)(1)(ii)(A)-(E)
- *Academic freedom and “intellectual diversity”:* The proposal requires accreditors to introduce academic freedom protections and ties that to a requirement for institutional policies supporting “intellectual diversity,” a term that is never defined and that is a stalking horse for the introduction of partisan political quotas in hiring. Relevant NPRM sections: §602.17(a)(2)(iii)-(viii), §602.18
- *Accreditor shopping:* If enacted, these changes would eliminate the current requirement that accreditors have at least two years of demonstrated operation. They would also make it much easier for institutions to switch accreditors, creating a race to the bottom in terms of the institutional standards that protect students and encourage academic integrity. Relevant NPRM sections: §600.11(a)-(b), §602.11(b)(2)-(3), §602.12(a)-(c)

- *Lack of statutory authority:* Many of the proposed changes in the NPRM go beyond the department's authority under federal law. The Department of Education Organization Act expressly prohibits the department from "exercis[ing] any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, over any accrediting agency or association, or over the selection or content of library resources, textbooks, or other instructional materials by any educational institution or school system, except to the extent authorized by law." (20 U.S.C. §3403(b))

Recommended Resources

[Alliance for Higher Education's template letter](#)

[Ed Trust's overview of proposed changes to accreditation](#)

[AFT Higher Education's accreditation toolkit](#)

[American Association of University Professors' accreditation resources](#)