



The Changing Role of Accreditation and the Department of Education: Benefit or Menace?

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In his *Idea of a University*, Discourse 5, Newman states...

He [the student] apprehends the great outlines of knowledge, the principles on which it rests, the scale of its parts, its lights and its shades, its great points and its little, as he otherwise cannot apprehend them.

Hence it is that his education is called "Liberal." A habit of mind is formed which lasts through life, of which the attributes are, freedom, equitableness, calmness, moderation, and wisdom; or what in a former Discourse I have ventured to call a philosophical habit. This then I would assign as the special fruit of the education furnished at a University, as contrasted with other places of teaching or modes of teaching. This is the main purpose of a University in its treatment of its students...

And now the question is asked me, What is the use of it? And my answer will constitute the main subject of the Discourses which are to follow...

Newman's Discourses lead us through an exploration of the difference between being taught and being educatedbetween collecting knowledge based on the cursory memorization of facts and developing the philosophical habit of the mind... between preparation for a profession and the cultivation of talent for speculation and original inquiry. The development of the philosophical habit of mind is, in Newman's opinion, the core benefit of liberal education.

Newman does not discount the value of other modes or purposes of education, and he accedes to the premise that professional training – which need not be antithetical to liberal education - has an important place in the preparation of individuals to perform necessary functions. However, he asserts that education in the arts and sciences trains the mind in ways applicable to a wide range of jobs, and he emphasizes that the most important "ends" of a higher education are personal qualities that today we might recognize as the attributes of a good citizen.

To be sure, it is not easy to measure the authentic byproducts of a liberal education of which Newman speaks: freedom, equitableness, calmness, moderation or wisdom. Newman alludes to the lack of tools for measuring these qualities when he cautions us to understand that one cannot separate the benefits of knowledge from knowledge itself. Still, it is clear from his Discourse that Newman was confronting some of the very same questions we face today regarding the *use* or *utility* of higher education.

It is reasonable and desirable for scholars to engage in thoughtful debate about how best to educate students in order for them to enjoy the full benefits of their higher education. In fact, the reason the U.S. system of higher education has been so successful is that in the absence of a Ministry of Education, there has been no need to reach consensus about a single “right” way to educate students. The diversity of ideas has led to the diversity of institutions that provide a diversity of educational programs to a diversity of students. This is the strength of the U.S. system of higher education. Institutional diversity, coupled with student choice, ensure that students have the opportunity to select an institution and pursue a course of study that best serves their interests and goals. That is, until now.

In recent years, leaders at the U.S. Department of Education have acted as though it is their right to rewrite history, to override the very wise decisions of our Founders, and to put the government at the center of significant decisions that were once considered to be a matter of autonomous institutional, professional and academic judgment. Unfortunately, it would appear that today’s Department officials – including many individuals who have never held a faculty position on a university campus - believe that there isn’t a problem in the world that can’t be solved through the development of another 20 (or 900) pages of regulatory language. Sadly, all too often these regulations are little more than a mechanism through which an administration can pick winners and losers based on their personal or political beliefs and biases.

Under these constraints, liberal education is not faring well. In the name of accountability, the Department of Education has developed a series of metrics to serve as proxies for educational quality, with graduation rates and starting salaries at the top of the list of most important measures. While these metrics may be easily measured, there is no evidence that either is an indicator of student success or educational quality. In fact, one could argue that high graduation rates could easily be an indicator of poor educational quality or lack of rigor, especially among institutions that value access over selectivity in their mission to serve students. Moreover, while graduates with business degrees may earn higher starting salaries than graduates with philosophy degrees – at least initially - it is hard to understand from this measure which individual will make the greatest contributions personally and professionally to society during the ensuing 70 or so years of their life after college. Do we really believe that those who earn the most are automatically the best citizens or that what happens in the initial years after graduation tell us accurately what will happen over the course of a graduate’s life?

There is a reason that graduation ceremonies are called Commencement exercises rather than Completion services since the end of formal education simply makes the starting point for lifelong learning.

The Department of Education has a statutory responsibility to ensure that students receiving federal taxpayer dollars are attending institutions that provide adequate opportunities for learning and success. However, the new regulations proposed and promulgated by the Department of Education go much farther than that and actually give the agency the authority to determine which programs an institution may or may not offer, based largely on the Department's opinion about whether there is adequate local workforce demand for program graduates.

In addition, whereas the law requires federal financial aid dollars to be awarded based on a student's attendance at an institution of higher education, the new regulations require institutions to demonstrate that the student was not only in attendance, but was engaged as an active participant in the class. Certainly a student's grade should reflect his or her engagement in and contribution to the class, but it is the job of the professor to make that determination, not a Department of Education auditor. The new regulations put federal officials in the position of deciding whether or not a student was engaged sufficiently in activities that an auditor would consider to be an academic activity and that the student was actively engaged in these activities on a day-to-day or class-to-class basis. This regulation extends the reach of government into the classroom, violating every boundary that separates the role of government from the role of academic institutions and individual faculty. While today this new regulation applies to online classes only, it is highly likely that these standards will soon apply to ground-based classrooms as well since the Department of Education lacks the authority to hold online learning to a higher or different standard than ground-based learning.

The Department has also decided that it now has authority to tell states how to authorize and oversee institutions of higher education, despite no change in statutory language that would justify this new interpretation of the law. Institutions that deliver online education must now be authorized by each state in which a student resides to provide higher education in that state. This will all but eliminate the ability of small institutions to expand access and opportunity through distance learning. One can imagine that this sort of regulation might also be used to manipulate the higher education marketplace and limit competition.

The Department has also decided that the Carnegie Unit is the standard for awarding financial aid, which means that it is also the *de facto* standard for awarding academic credit. In formalizing this

standard, the Department is placing a higher priority on seat time than on student outcomes, after more than a decade-long priority on learning objectives and outcomes assessment.

Not shockingly, since the Department understands that it doesn't actually have the legal authority to impose many of these standards directly upon academic institutions, it has decided to commandeer the vast army of accreditors to serve as their agents in implementing and ensuring compliance with these new regulations. The Department is requiring accreditors to jump through an ever-changing and ever-expanding set of hoops in order to gain or maintain the Department's recognition. In essence, the new regulations require accreditors to put bureaucratic opinion ahead of academic peer review in making their determination of which institutions and programs should be accredited and which should not. One wonders what training and experience makes Department of Education staff members better able to judge academic quality than those who have devoted their lives to teaching and college administration.

Newman tells us that if we are to prepare young adults to enjoy lives full of thoughtful contemplation, inquiry, civility and moderation – and if we are to prepare young adults for whatever job may lie in their future - we need to emphasize the importance of a liberal education. If we allow the Department to continue down this path, where bureaucratic or political opinion trumps academic professional judgment, where meaningless or incomplete data drives critical policy decisions, and where the benefits of higher education are reduced to little more than an individual's starting salary, one worries that soon we will have a nation of automatons rather than a nation of compassionate, creative and productive thinkers.

Short-sighted attempts to measure the utility of higher education could destroy the unique essence of American education that makes our graduates among the most innovative, creative and successful in the world.

Newman states:

I am asked what is the end of University Education, and of the Liberal or Philosophical Knowledge which I conceive it to impart: I answer, that what I have already said has been sufficient to show that it has a very tangible, real and sufficient end, though the end cannot be divided from that knowledge itself. Knowledge is capable of being its own end.

Note (7/14/14): The regulations referenced in this paper were part of the Program Integrity and Gainful Employment regulations that were finalized by the Department of Education in 2010. Since then, the

courts have vacated several components of these regulations on procedural grounds, including State Authorization, Gainful Employment and New Program Approval.

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