



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
NY 12234

To: Higher Education Committee

From: John L. D'Agati

Subject: Renewal of Recognition of the Board of Regents and
Commissioner of Education as a Nationally Recognized
Accrediting Agency

Date: January 3, 2012

Authorizations:

SUMMARY

Issue for Discussion

Should the Commissioner and Board of Regents apply for renewal as a nationally recognized institutional accrediting agency?

Reason(s) for Consideration

For information.

Proposed Handling

This matter will come before the Higher Education Committee at its January 2012 meeting for a discussion of the agency's accreditation function. The Office of Higher Education is also seeking direction from the Board of Regents as to whether the agency should apply to the U.S. Department of Education for renewal of its national recognition as an accrediting agency.

Background Information

The Board of Regents has been engaged in the evaluation of quality in higher education in New York State since 1787. The federal government has recognized the Board of Regents and the Commissioner of Education as a national institutional accrediting agency since 1952. New York is the only state with this recognition. The U.S. Secretary of Education (Secretary) last renewed this recognition in August 2007 for a period of five years. An application for renewal of this recognition will be considered by the Secretary's advisory body in fall 2012.

Institutional accreditation is distinct from the Regents authority to authorize colleges and register programs of study. New York's accreditation standards are defined in Subpart 4-1 of the Regents Rules. They closely parallel program registration standards, although the focus of accreditation shifts to the institution's overall competence in carrying out its mission and administering its programs.

Twenty-three New York colleges and universities hold institutional accreditation by the Regents (see Attachment). They typify New York's diverse higher education institutions. Among these are notable research centers: Cold Spring Harbor Laboratory, the Elmezzi Graduate School of Molecular Medicine, and the Louis V. Gerstner Jr. Graduate School of Biomedical Sciences at Memorial Sloan-Kettering Cancer Center.

The Regents also accredit such highly regarded institutions as The Rockefeller University, the American Museum of Natural History (Richard Gilder Graduate School), the American Academy of Dramatic Arts, and Union Graduate College. Four Regents-accredited institutions feature distinct religious missions: Holy Trinity Orthodox Seminary, Northeastern Seminary, the Salvation Army School for Officer's Training, and Rabbi Isaac Elchanan Theological Seminary. Other institutions offer an array of career and specialized instruction in fields ranging from nursing and other health professions to construction, studio art, business and technical fields, and art markets.

In this region, the primary institutional accrediting agency is the Middle States Commission on Higher Education ("Middle States"). The Accrediting Council for Independent Colleges and Schools (ACICS) and other specialized accrediting agencies recognized by the Secretary also provide an accreditation option for institutions that offer specialized programs.

Middle States supports its functions by charging its participating institutions. For example, accredited institutions pay annual dues calculated on the institution's total "educational and general expenditures" reported on the institution's annual institutional profile. The dues scale has 18 ranges. At the low end, annual dues start at \$1,064; at the highest level, the base annual dues start at \$23,627.

Middle States also assesses fees for various accreditation-related activities. Examples include:

- Information session: \$536
- Application for candidate status: \$5,356
- Commission liaison visit: \$2,142, plus lodging and travel
- Assessment team visit: \$5,356 plus lodging, travel, and stipends
- Self-study process with evaluation team visit: \$5,356, plus fees for additional locations
- Fee for a "substantive change": from \$857 for a basic change to \$2,500 (or more) for a "complex" change.

The Board of Regents does not charge for institutional accreditation. The function is carried out by the Office of Higher Education through its Office of College and University Evaluation.

Benefits and Challenges

The accreditation function carries both benefits and challenges:

Benefits:

- The Board of Regents and the Commissioner of Education are the only state entity recognized by the Secretary as an institutional accreditor.
- Regents accreditation allows institutions to participate in federal financial aid programs.
- Accreditation activities foster a common understanding of institutional quality among Department staff, peer reviewers, and institutional representatives.
- Recognition by the Secretary provides an external confirmation of the Department's quality assurance activities.

Challenges:

- Accreditation activities divert limited financial and staff resources from other Regents priorities (e.g., program registration and institutional oversight).
- Twelve or more institutions will require accreditation site visits in 2012, including eight renewing institutions and four institutions applying for their first accreditation.

The U.S. Department of Education ("USDOE") has notified us that the agency's application for renewal is scheduled to be reviewed at the fall 2012 meeting of the National Advisory Committee on Institutional Quality and Integrity. If the agency wishes to renew its national recognition as an institutional accrediting body, the agency's petition for renewal is due on June 4, 2012. The USDOE has also requested that we provide them with a schedule of site visits, decision meetings, and training workshops planned for 2012 as soon as possible so that their analyst can plan their calendar. Therefore, we are seeking direction from the Board of Regents and the Commissioner as to whether you intend to seek renewal of the accreditation function so that the Office of Higher Education can dedicate appropriate resources to the renewal application and to maintain the function if USDOE continues its recognition.

Renewal Options

As the time for the renewal approaches, the Regents have the following options:

- ***Seek to retain recognition as is***—requires the commitment of resources to carry out renewal activities in the short term as well as continuing resources to carry out accreditation functions (e.g., site visits and compliance with the Secretary's administrative requirements).
- ***Seek to retain recognition but in the future limit its scope*** to institutions that do not hold accreditation from another recognized accreditor. For example, 4 of the 23 institutions that hold institutional accreditation by the Regents are also accredited by Middle States.

- ***Withdraw from institutional accreditation***—the Board of Regents relinquishes its authority to accredit institutions. The Board may not be able to re-gain this authority under current federal requirements.
- ***Retain recognition but charge institutions a fee***—the Board of Regents could continue to provide accreditation but require fees like Middle States does. This will require legislative and regulatory changes.

If the Commissioner and Board of Regents direct the Office of Higher Education to apply for renewal, resources will be needed in the next six months for the following functions:

- revise Regents Rules to align with updated federal requirements
- engage the Regents, Regents Advisory Council (RAC), accredited institutions, peer reviewers, and others in a review of accreditation standards
- conduct several accreditation site visits to institutions seeking renewed or initial accreditation
- create and present a training opportunity for Regents, RAC, and peer reviewers
- review/update accreditation files, to ensure compliance with the Secretary's recordkeeping requirements
- schedule and conduct events for observation by an analyst for the Secretary (site visit, training opportunities, RAC meeting, Regents meeting, etc.)
- prepare an extensive renewal document to demonstrate compliance with all standards (due June 4)
- prepare for an appearance before the Council that advises the Secretary (fall 2012)

Upon receipt of a renewal petition, the Secretary has a variety of options for ruling on an application for renewal of recognition. The Secretary's decision on continuing recognition "...may include, but is not limited to, approving, denying, limiting, suspending, or terminating recognition, [...] or continuing recognition pending submission and review of a compliance report...."

Timetable

If the Board of Regents decides to apply for renewal as a nationally recognized accrediting agency, the agency's petition is due on June 4, 2012.

Attachment

List of Regents-accredited institutions (as of December 2011):

1. American Academy of Dramatic Arts
2. American Museum of Natural History - Richard Gilder Graduate School
3. Bramson ORT College
4. Christie's Education, Inc.
5. Cold Spring Harbor Laboratory
6. The Elmezzi Graduate School of Molecular Medicine
7. Globe Institute of Technology, Inc.
8. Holy Trinity Orthodox Seminary
9. Institute of Design and Construction
10. Louis V. Gerstner Jr. Graduate School of Biomedical Sciences at Memorial Sloan Kettering Cancer Center
11. Memorial School of Nursing
12. New York Academy of Art
13. New York Career Institute
14. New York College of Health Professions
15. Northeastern Seminary
16. Rabbi Isaac Elchanan Theological Seminary
17. The Rockefeller University
18. Salvation Army School for Officer Training
19. Samaritan Hospital School of Nursing
20. Technical Career Institutes
21. Union Graduate College
22. Utica School of Commerce
23. Wood/Tobe-Coburn School