

THE POLITICIZATION OF HIGHER EDUCATION ACCREDITATION



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The Politicization of Higher Education Accreditation

Adam Kissel and Timothy J. Rosenberger, Jr.

Executive Summary

Accreditors of institutions of higher education exercise quasi-regulatory authority as gatekeepers of federal student aid. Unfortunately, they often abuse this power. Accreditors have used their authority to create accreditation standards that promote or require diversity, equity, and inclusion (DEI) policies and to stop conservative or even neutral reforms at U.S. colleges and universities. This paper provides the first catalog of such abuses.

Introduction

Accreditors have “a fairly unique role in allocating federal spending—these private entities decide whether taxpayer dollars will flow to a college,” largely as gatekeepers for access to federally administered student aid programs ([Gillen, 2022, para. 1](#)). Furthermore, unaccredited institutions are generally ineligible for federal and state programs that focus on postsecondary institutions.

Most colleges and universities are accredited by institution-level, “institutional” accreditors—a category that includes what used to be known as national and regional accreditors. Effective July 1, 2020, the U.S. Department of Education (ED) eliminated that distinction (“[Student Assistance General Provisions](#),” 2019). A second category of accreditors—career-related specialized or programmatic accreditors—mainly vouch for particular programs (such as nursing or business) within an accredited institution. A programmatic accreditor may also accredit an entire single-program institution.

Accreditors are recognized by the nongovernmental Council for Higher Education Accreditation (CHEA), ED, or both. Accreditation by an ED-recognized accreditor is required for access to ED’s financial aid programs, while accreditation by a CHEA-recognized accreditor can bring access to state programs independently of ED, depending on the state ([Kissel, 2023](#)). Most accreditors are recognized by both ED and CHEA, while some are recognized by just one or the other ([Council for Higher Education Accreditation, n.d.](#)).

ED regulations implementing the Higher Education Act use only general standards for accreditor recognition. An accreditor’s standards must merely be “sufficiently rigorous to ensure that the [accrediting] agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits” ([Code of Federal Regulations, 34 CFR §602.16](#)). That is, an accreditor’s standards must set forth “clear expectations” in general areas such as student achievement, curricula, faculty, and compliance with rules pertaining to student grants and loans (34 CFR §602.16(a)(1)), but ED leaves the details of those standards to each accreditor. Therefore, when an institution becomes accredited, it entrusts its federal aid access to an entity that establishes requirements outside of the federal government’s control.

Accreditors exercise their quasi-regulatory authority in alignment with their biases and ideologies. As membership organizations, accreditors reflect the biases of the contemporary U.S. academy, which leans markedly left ([Shields &](#)

Key Points

- Accreditation gives colleges access to federal aid programs, which means that accreditors have enormous power to shape higher education.
- This paper provides the most comprehensive list to date of publicly known abuses by accreditors.
- Now that colleges have more choice in accreditors, they have an opportunity to use it, which may limit accreditors’ abuses of power.

[Dunn, 2016](#)). As a result, accreditors create and enforce politicized standards, yet decorum demands that they cloak their progressive dogmas as the mere promulgation of high standards.

This paper compiles political abuses of accreditation standards and processes. Accreditors have used their standards to promote or require diversity, equity, and inclusion (DEI) policies, to interfere with legitimate governance of public colleges in conservative states, and to demand racial preferences in admissions.

Abuses of Power

Accreditors are generally presumed to focus on quality, but they do not. They punish legitimate activity and stifle innovation and reform. The evidence shows that accreditors have long focused elsewhere than on student outcomes.

For example, although four-year graduation rates for undergraduates are below 20% at more than 100 colleges, according to the American Council of Trustees and Alumni ([ACTA, n.d.](#)) dataset, accreditors do not hold them accountable. The U.S. Government Accountability Office found that “between 2009 and 2014, accreditors denied just 1% of colleges applying or reapplying for accreditation,” while CHEA found that in 2016, “regional accreditors granted or reaffirmed accreditation to 381 colleges while denying or withdrawing accreditation from just six colleges. When an accrediting agency does decide to withdraw or deny accreditation, it rarely does so for reasons related to a college’s academic performance or outcomes” ([Education Next, 2018, section 9, paras. 2–3](#)). More recently, out of 31,699 accretor actions between 2012 and 2021, “only 2.7% were ones in which an accretor disciplined or sanctioned a college for inadequate student outcomes or low-quality academic programming” ([Leschly & Guzman, 2022, p. 5](#)). Accreditation reform advocates have argued that accreditors would be better poised to perform their expected role of quality improvement if they were not gatekeepers of federal student aid ([Burke et al., 2023](#)).

What are accreditors doing instead? Often, they interfere with institutional autonomy for reasons unrelated to accreditation of performance.

Governance

Federal law and regulations on accreditation are completely silent regarding the specific questions of how colleges and universities govern themselves and how public institutions may be governed by public officials and legislatures. Governance requirements are left entirely to accreditors

as they develop their own standards. As a result, Gillen ([2020](#)) observes, “Accreditors seem to be using their quasi-regulatory power to intimidate and second-guess boards” of trustees ([p. 8](#)).

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC or SACS) and the Western Association of Schools and Colleges (WASC) are the prime abusers of power in the area of governance. SACS opposes boards, governors, and legislators exercising their legal prerogatives over institutional governance and has threatened institutions’ accreditation time and time again. But as Poliakoff and Alacbay ([2019, p. 146](#)) note, accreditors discourage “‘interference’ in university business by the very people charged to oversee these institutions: trustees and elected officials.”

- In January 2023, the Board of Trustees of the University of North Carolina (UNC) voted to create a new School of Civic Life and Leadership. Of course, this kind of decision is squarely within the prerogatives of the board ([Guskiewicz, 2023](#)). In response to news reports, SACS president Belle Wheelan commented on February 7 that she would “either get them to change it, or the institution will be on warning with [SACS], I’m sure.” She said that the board had not gotten input from the administration (other than the board itself) or from the faculty, and “that’s kind of not the way we do business” ([Robinson, 2023, paras. 4, 5](#)). In response, almost the entire Republican congressional delegation, led by Representative Virginia Foxx, wrote Wheelan on March 1: “we expect accreditors not to pre-judge actions of governing boards, follow normal processes, be attentive to such matters of public importance, and act in accord[ance] with federal and state law” ([CJ Staff, 2023, para. 9](#)).
- In May 2021, SACS interfered with the Florida State University (FSU) presidential search when it complained that candidate Richard Corcoran (today president of New College of Florida) was also on the governing board. SACS president Belle Wheelan argued that Corcoran should step down in order to be a candidate. Yet he was also the state’s education commissioner, and “The state Constitution requires the education commissioner to have a seat on the university system’s Board of Governors” ([Dailey, 2021, para. 13](#)).
- In April 2021, SACS politicized the chancellor search at the University System of Georgia (USG) in an attempt to thwart the selection of former governor Sonny

Perdue, who ultimately became chancellor. Wheelan complained that a former governor might not have the requisite experience to run a university system ([Stirgus et al., 2021](#)). Note that SACS was dissatisfied that Corcoran was so close to the FSU search but also dissatisfied about Perdue's distance from USG.

- In October 2019, SACS interfered with the University of South Carolina's presidential search. It had "already launched an inquiry into the process and acquired personal records of board members and peripheral figures" and then opened an investigation ([Blakeney, 2019, para. 3](#)).
- In July 2019, the Northwest Commission on Colleges and Universities (NWCCU) intervened in Alaska's budget cuts to state universities, writing a letter to the state Legislature threatening their accreditation unless the Legislature ponied up more money ([Ramaswamy, 2019](#)).
- In summer 2013, the Higher Learning Commission (HLC) required Tiffin University to "shut down its innovative Ivy Bridge program [arguing that] Tiffin had given the autonomous entity too much control" ([Horn, 2018, paras. 3, 5](#)). HLC also opened an investigation of Bellevue University, reversing its previous approval of a competency-based, self-paced program, after ED complained about the amount of "substantive interaction" in the program ([para. 7](#)). The latter appears to be a case where the accreditor bullied the university under pressure from ED. ED has also stifled innovation at Western Governors University over its own competency-based education program ([Horn & Dunagan, 2018](#)).
- In January 2013, SACS opened an investigation in Florida after Governor Rick Scott "weighed in on the selection of a new University of Florida president. It is a misunderstanding of the roles and responsibilities of a governor for SACS to assert that the chief executive officer of a state does not have the right and duty to express opinions on matters of import to state-owned, operated, and extensively taxpayer-funded universities" ([Brown, 2013, p. 6](#)).
- In December 2012, SACS put the University of Virginia on warning status after the university's trustees moved to oust its president, even though university policy clearly "reserves complete authority to the board in matters of the appointment and oversight of the president." SACS

also complained that the university "had failed to consult the faculty" ([Brown, 2013, p. 6](#)). Also, in December 2012, WASC demanded that the University of Hawaii account for its decision-making procedures regarding its selection of an athletic director ([Brown, 2013](#)).

- In December 2011, SACS threatened the accreditation of Florida A&M University after Governor Scott "publicly suggested Florida A&M University suspend then-president James Ammons a month after [a] hazing death." In response, SACS president Belle Wheelan sent Scott a letter arguing that the matter should be left strictly to the governing board ([Mitchell, 2013, para. 7](#)). Note that this directly contradicts SACS' position at UVA the following year.
- In 2007, SACS withdrew accreditation from St. Andrews Presbyterian College (now St. Andrews University) because SACS "disagreed with the board's strategic plan" ([Neal, 2008, para. 13](#)). The college survived by filing a federal lawsuit and merging with another institution ([McMullen, 2011](#)).
- In December 2006, according to Brown ([2013, p. 5](#)), "When the University of California Regents attempted to investigate and address evidence of runaway administrative costs, they found themselves accused [by WASC] of being 'unnecessarily harsh' with administrators." WASC invoked two of its standards and five of its review criteria as being implicated ([Casteen et al., 2007, pp. 3-4](#)).
- In 2003, SACS put Auburn University on probation "for what *The Chronicle of Higher Education* reported was 'trustee meddling in the university's administration and for a lack of commitment to the accreditation process.' The sanction was lifted only after three outside investigators found no basis for the penalty and trustees signed a personal statement of commitment to the accreditation process" ([ACTA, 2007, p. 3](#)).

Institutional Values

- In 2014, the New England Association of Schools and Colleges (NEASC) threatened Gordon College's accreditation because of its religious mission. Gordon's crime was having asked the federal government for a religious exemption regarding President Obama's executive order preventing federal contractors from engaging in "sexual-orientation discrimination." French ([2015, para. 2](#)) explains that this action "signaled potential intent to violate federal law to punish

orthodox Christianity” ([para. 6](#)). Under pressure from many religious colleges over this action, NEASC backed down.

- About 1992, as reported by the American Council of Trustees and Alumni ([ACTA, 2007, p. 10](#)), “Thomas Aquinas College was threatened ... with a loss of accreditation due to the fact that its avowedly Catholic, traditional orientation simply had no room for courses that [WASC] was prescribing at the time. The ‘Great Books’ curriculum at Thomas Aquinas was the very key to the school’s mission. ... The WASC standards ... also were unacceptable to several of the most prestigious universities in California. The [accreditor’s] standards were denounced by the president of Stanford University, who said that such tight accrediting controls [would ruin the diversity of higher education options, and who wrote that WASC] was ‘attempting to insert itself in an area in which it has no legitimate standing.’”

Faculty and Teaching

Politicized accreditation is not limited to governance. Politicized requirements and nudges have extended to recruiting and retaining faculty as well as teaching and admissions. Accreditation Standard III-A of the National League for Nursing (NLN)’s Commission for Nursing Education Accreditation ([CNEA, 2021](#)) requires that each nursing program demonstrate “an inclusive organizational environment and resources supportive of recruitment, retention, and flourishing of diverse faculty” ([p. 21](#)). The Northwest Commission on Colleges and Universities (NWCCU) also requires “indicators disaggregated by race, ethnicity, age, gender and socioeconomic status with the goal of closing equity gaps” ([Miller, 2022, para. 11](#)).

Such standards might not seem unduly strict, but they appear to lead institutions to violate civil rights laws in hiring or at least to straddle the edge of legality. As a result of NWCCU’s requirements, the University of Idaho implemented “strategic hiring initiatives that target women and underrepresented and diverse groups in all units” ([University of Idaho, 2019, p. 12](#)).

Furthermore, Sailer ([2023](#)) explains how the Liaison Committee on Medical Education (LCME) treated Oregon Health and Science University’s medical school. After LCME criticized the school for lacking sufficient faculty diversity,

The medical school responded with a comprehensive “Diversity, Equity, Inclusion and Anti-Racism Strategic Action Plan,” which was designed “in alignment with accreditation requirements.” That plan is notable for its strong warning to those who don’t get with the program. One step reads, “Require ongoing training and learning opportunities related to DEI and anti-racism for learners, staff, faculty and administrative leaders. Ensure there are consequences for individuals who are not compliant with the required training.” Another reads, “Include a section in promotion packages where faculty members report on the ways they are contributing to improving DEI, anti-racism and social justice. Reinforce the importance of these efforts by establishing clear consequences and influences on promotion packages.” ([para. 5](#))

There are more examples:

- In November 2021, SACS opened an investigation of the University of Florida “because of an administrative decision that kept three professors from providing expert testimony in a lawsuit against the state” ([Barrera, 2021, para. 2](#)). SACS claimed that this decision was a potential violation of academic freedom, even though accreditors have universally remained silent in the face of unconstitutional speech codes and so-called bias response teams that are ubiquitous across academe.
- In 2008, after having complained about St. Mary’s College’s “lack of progress on racial issues” since 1990, WASC threatened the college’s accreditation over its “increasing and sustained lack of civility” ([Shibley, 2008, paras. 2–3](#)).
- Sometime before 2002, SACS put Campbell University, according to ACTA, on probation “because its standard faculty teaching load was 15 hours per week. The accreditor insisted that 12 hours was the maximum acceptable load, so the school solved the problem by consolidating class sections [and] students often found themselves in classes of sixty or more” ([ACTA, 2007, p. 9](#)).
- In the early 1990s, “The Middle States Association threatened to withdraw accreditation from Baruch College because it had only 18% minority representation on its faculty and Westminster Seminary because there were no women on its governing board. Then Education Secretary Lamar Alexander concluded that

it was not appropriate for an accreditation agency to wield what amounted to federal power in a manner that threatened academic freedom and diversity among institutions. Writing that ‘I did not know that it was the job of an accrediting agency to define for a university what its diversity ought to be,’ Secretary Alexander chose to defer recognition of Middle States” pending a review ([ACTA, 2007, p. 10](#)).

Admissions

In admissions, accreditors tell schools that they must ensure that their student bodies are diverse in terms of identity groups. According to Will ([2021](#)), the Council for the Accreditation of Educator Preparation’s accreditation standards emphasize diversity: “Providers are now asked to disaggregate candidate data by race, ethnicity, and any other categories that may be relevant for the provider’s mission, such as socio-economic status or the geographic region they’re from” ([para. 18](#)). The Council for the Accreditation of Educator Preparation ([CAEP, 2022c](#)) explains: “Equity and diversity measures have been specifically included in components of the standards to ensure proper attention is given and each provider must demonstrate progress toward recruiting and graduating a candidate pool that reflects the diversity of America’s P-12 students” ([para. 2](#)).

The American Bar Association (ABA), which accredits law schools, has been particularly activist about admissions:

- Heriot ([2022](#)) reports that in the 1990s, “31 percent of law schools and 24 percent of medical schools polled by the political scientists Susan Welch and John Gruhl reported that they ‘felt pressure’ to ‘take race into account in making admissions decisions’ from accreditation agencies. In the mid-2010s, with the help of the National Association of Scholars, [Heriot] conducted a round of state public-records requests of state medical schools. Out of the sixteen schools that responded or partially responded, half had been cited by their accreditor—the Liaison Committee on Medical Education—for insufficient diversity” ([Accreditors Bullying Schools section, para. 10](#)).
- Heriot ([2022](#)) also describes how the ABA coerced George Mason University’s law school (now the Antonin Scalia Law School) beginning in 2000, “when the ABA’s site-evaluation team was unhappy that only 6.5 percent of entering day students and 9.5 percent of entering evening students were minorities.” The school refused to use race preferences to satisfy the

ABA, so the accreditor refused to renew the school’s accreditation. Finally, the school backed down, but “still the ABA was not satisfied” with the proportion of black law students. “What mattered was that GMU’s former position on preferences was heresy and had to be crushed. ... The law school finally got its reaccreditation after six long years of abuse—just in time for the next round in the seven-year reaccreditation process. Sure enough, the 2007 site-evaluation team also cited GMU for its supposed lack of diversity.” As a result of the required racial preferences, unfortunately and expectedly, from 2003 to 2005 “45 percent of African-American law students at GMU experienced academic failure as opposed to only 4 percent of students of other races” ([Accreditors Bullying Schools section, paras. 2–7](#)).

- In 2006, the ABA then required law schools to demonstrate “concrete action” to admit students (as well as hire faculty and staff) who were “diverse with respect to gender, race, and ethnicity.” As the American Council of Trustees and Alumni noted, “the ABA specifically warned schools in states such as California where voters rejected racial preferences, that even they must find a way to comply.” In response, the American Law Deans Association complained that ABA “inappropriately inserts itself into the internal affairs of the institutions it accredits ... in a way that forces homogeneity, and conversely stifles innovation and diversity, among law schools.” As a result, ED gave the ABA only an 18-month recognition instead of the usual five-year renewal and required the ABA “to provide extensive documentation on how it applies its controversial diversity standard” ([ACTA, 2007, p. 4](#)).

Accreditation Standards Requiring “Diversity, Equity, and Inclusion”

ED does not have a diversity requirement, leaving accreditors free to set their own standards. But if an accreditor also seeks CHEA recognition, under CHEA Standard 3.A, the institution must demonstrate that it “manifests a commitment to diversity, equity, and inclusion” ([Council for Higher Education Accreditation, 2021, standard 3.A, p. 9](#)). Accordingly, many do.

Butcher ([2023, para. 10](#)) observes that every formerly regional accreditor is “aligned with radical positions on race commonly found in higher education.” This alignment includes direct interference with institutional autonomy:

- The Western Association of Schools and Colleges' (WASC's) Senior College and University Commission (WSCUC) "mentions 'diversity, equity, and inclusion' five times in its new standards guidebook." WASC "offers training sessions for schools to help college administrators 'use a justice, equity, diversity and inclusion (JEDI) lens.'"
- WASC's Accrediting Commission for Community and Junior Colleges "released a 'Policy on Social Justice' in June 2021 pledging to create a 'climate' of 'anti-racism' among accredited schools."

Butcher (2023) shows that even when a formerly regional accreditor does not explicitly require DEI standards, it is often aligned with DEI. Accreditors' websites feature DEI position statements, anti-racism resources produced by the Southern Poverty Law Center, and other DEI resources. The Middle States Commission on Higher Education (MSCHE) joined "an amicus brief supporting 'the legality and value of race-conscious admissions'" in the cases recently in front of the U.S. Supreme Court (para. 10). The New England Commission of Higher Education (NECHE), at its 2022 annual meeting, "held a session on 'gender inclusivity'; two sessions on 'equity'; and a closing keynote presentation on the need for DEI in science, technology, engineering, and math (STEM) education" (para. 10).

Accreditors of programs that instruct students in the helping professions—teaching, psychology, nursing, and social work, to name four—have the most prescriptive DEI standards. As a result, students often are required to serve all clients even when doing so would conflict with their religious beliefs or conscience. This is because their institutions do not always provide religious accommodations that permit students to refer clients to other providers. Although such accommodations are generally required under the First Amendment and state civil rights laws, the pressure of an adverse action by an accreditor works against such requirements for religious inclusion. As a result, students often have had to choose between violating their religious beliefs and succeeding in their program (ACTA, 2007, pp. 1–2).

In the area of teaching, the two major accreditors are the Association for Advancing Quality in Educator Preparation (AAQEP) and the Council for the Accreditation of Educator Preparation (a successor to the National Council for Accreditation of Teacher Education, or NCATE). They take "very different approaches to

determining the quality of teacher education. CAEP requires multiple measures of data to prove programs' selectivity and effectiveness. AAQEP's standards don't" but instead use evidence "holistically" (Will, 2021, para. 8).

AAQEP (2021) requires that students demonstrate "culturally responsive practice, including intersectionality of race, ethnicity, class, gender identity and expression, sexual identity, and the impact of language acquisition and literacy development on learning" (Standard 1c, pp. 11, 16–17). AAQEP's accreditation Standard 2b requires "culturally responsive educational practices" (p. 19) with the same meaning as in Standard 1. Standard 4a requires that institutions "address the overriding challenge of disparity in educational outcomes" by identity group (p. 25).

CAEP similarly requires that students demonstrate knowledge and use of "equitable and inclusive learning experiences" (CAEP, 2022a, Standards R1.2 and R1.3). Postbaccalaureate students must reflect on "their personal biases to increase their understanding and practice of equity, diversity, and inclusion" (CAEP, 2022b, Standard RA.1). Until 2006, NCATE required that education schools use a "social justice" standard for assessing the "dispositions" of teacher trainees, and it abandoned that requirement under public pressure (National Association of Scholars, 2006), but today CAEP essentially requires the same thing.

In psychology, the American Psychological Association (APA) Commission on Accreditation (CoA) standards require in three places:

Consistency with the professional value of individual and cultural diversity. ... Although Individual and Cultural Diversity is a profession-wide competency, the CoA expects that appropriate training and attention to diversity will also be incorporated into each of the other profession-wide competencies. (APA Commission on Accreditation, n.d., Regulations C-8 D, C-8 I, C-9 P, p. 15)

The CoA takes its bearings from multiculturalism:

An accredited program is expected to articulate and implement a specific plan for integrating diversity into its didactic and experiential training. This training should be based on the multicultural conceptual and theoretical frameworks of worldview, identity, and acculturation, rooted in the diverse social, cultural, and political contexts of society, and integrated

into the science and practice of psychology. ([APA Commission on Accreditation, n.d., Regulation C-9 D, p. 19](#))

In nursing, CNEA (2021) asks for an “institutional definition of diversity and inclusivity” as evidence that an institution is “culturally responsive” and “inclusive” ([Standard IV, p. 28](#)). The commission’s accreditation Standard V.F requires a curriculum that ensures a student will “provide culturally responsive care to diverse and vulnerable populations” (p. 37). CNEA’s definition of diversity is “the intersection of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious and political beliefs, or other ideologies” (p. 42).

For its part, the Commission on Collegiate Nursing Education ([CCNE, 2018](#)) has used a lighter hand, requiring “teaching-learning practices [that] expose students to individuals with diverse life experiences, perspectives, and backgrounds” ([Standard III-G, p. 16](#)). For CCNE, a nursing program’s “community of interest” might or might not “encompass individuals and groups of diverse backgrounds, races, ethnicities, genders, values, and perspectives” (p. 24).

In social work, “both the National Association of Social Workers (NASW) and the Council of Social Work Education (CSWE) pledged commitment to the inter-related tenets of diversity, ethnic-sensitive practice, and cultural competence.” CSWE “has made advances in how diversity and principles of altruism, social justice and inclusion have been addressed in educational policy” ([Gourdine et al., 2020, p. 79](#)).

Indeed, the CSWE Council on Accreditation’s standards employ the most prescriptive hand of all. No other accreditor expounds at such length and with such biased language. Social workers are to have the broad responsibility of advancing human rights as well as various forms of justice:

Competency 2: Advance Human Rights and Social, Racial, Economic, and Environmental Justice

Social workers ... are knowledgeable about the global intersecting and ongoing injustices throughout history that result in oppression and racism, including social work’s role and response. Social workers critically evaluate the distribution of power and privilege in society in order to promote social, racial, economic, and environmental justice by reducing

inequities and ensuring dignity and respect for all. Social workers advocate for and engage in strategies to eliminate oppressive structural barriers to ensure that social resources, rights, and responsibilities are distributed equitably and that civil, political, economic, social, and cultural human rights are protected. ...

Competency 3: Engage Anti-Racism, Diversity, Equity, and Inclusion (ADEI) in Practice

Social workers understand how racism and oppression shape human experiences and how these two constructs influence practice at the individual, family, group, organizational, and community levels and in policy and research. Social workers understand the pervasive impact of White supremacy and privilege and use their knowledge, awareness, and skills to engage in anti-racist practice. Social workers understand how diversity and intersectionality shape human experiences and identity development and affect equity and inclusion. The dimensions of diversity are understood as the intersectionality of factors including but not limited to age, caste, class, color, culture, disability and ability, ethnicity, gender, gender identity and expression, generational status, immigration status, legal status, marital status, political ideology, race, nationality, religion and spirituality, sex, sexual orientation, and tribal sovereign status. Social workers understand that this intersectionality means that a person’s life experiences may include oppression, poverty, marginalization, and alienation as well as privilege and power. Social workers understand the societal and historical roots of social and racial injustices and the forms and mechanisms of oppression and discrimination. Social workers understand cultural humility and recognize the extent to which a culture’s structures and values, including social, economic, political, racial, technological, and cultural exclusions, may create privilege and power resulting in systemic oppression.

Social workers:

- a. demonstrate anti-racist and anti-oppressive social work practice at the individual, family, group, organizational, community, research, and policy levels; and
- b. demonstrate cultural humility by applying critical reflection, self-awareness, and self-regulation to manage the influence of bias, power, privilege,

Accreditors clearly “play a key role in advancing cultural competency policies.” As a result, willingly or unwillingly, “universities essentially help build DEI empires, aided and abetted by accrediting agencies.”

and values in working with clients and constituencies, acknowledging them as experts of their own lived experiences. ([CSWE, 2022, pp. 9–10](#))

Sailer ([2023](#)) finds similar requirements in medicine and public health. Regarding law, he adds:

The American Bar Association is now notorious for its DEI education requirements. The Accreditation Board of Engineering and Technology recently proposed—and reportedly passed—revised standards that will require faculty to demonstrate their “knowledge of appropriate institutional policies on diversity, equity, and inclusion.” The Accrediting Council on Education in Journalism and Mass Communications likewise devotes a standard to “Diversity and Inclusiveness.” ([para. 18](#))

Accreditors clearly “play a key role in advancing cultural competency policies” ([Carrizales et al., 2016, p. 135](#)). As a result, willingly or unwillingly, “universities essentially help build DEI empires, aided and abetted by accrediting agencies” ([Miller, 2022, para. 22](#)).

Special Case: Florida

Beyond all of this, ED is also throwing its weight against Florida. The Trump administration, under Secretary of Education Betsy DeVos, promulgated regulations in 2020 that would let any college choose any accreditor. That is, the “regional accreditor” monopolies were broken—the former “regional accreditors” could accredit anywhere in the United States. Before the new regulation, an institution that wanted regional accreditation was coerced by having

only one choice. The new regulation, however, brought a new level of choice and competition into accreditation.

Accordingly, Florida passed a law that requires institutions to switch accreditors each review cycle. Supporting the legislation, Governor DeSantis stated, “Florida’s students deserve a quality, affordable education and don’t need ideological activists and political organizations determining what they should learn” ([Florida Mandates Change, 2022, para. 2](#)). In response, ED changed its interpretation of its own rules, implausibly claiming that while the old system was not coercive, the new choice of any accreditor was somehow involuntary.

By suggesting that ED would deny all changes of accreditors that resulted from the new law, ED was asserting the power to make Florida institutions unaccredited, which would prevent all of their students from having access to federally administered grants and loans ([Schwartz, 2022](#)). In December 2022, several former ED officials, including the first author of this paper, called on the current ED to cease this “politically motivated harassment” ([Defense of Freedom Institute, 2022](#)).

On June 21, 2023, the state of Florida sued key ED officials in their official capacities in order to preserve Florida’s governance of its own public institutions ([Complaint, Florida v. Cardona, 2023](#)). Florida argued, first, that under the private nondelegation doctrine, it was unconstitutional to give accreditors control over access to federal funding while preventing ED from assessing the details of accreditors’ standards ([pp. 11–20, 31–33](#)). Second, Florida argued in defense of state prerogatives under the “Spending Clause” (Article I, section 8, clause 1) and the Tenth Amendment to the U.S. Constitution, since accreditors’ standards are coercive and subject to change at any time, but ED is working to prevent institutions from changing accreditors ([pp. 20–22, 34–36](#)). Third, Florida argued that since accreditors use government authority, the government must appoint their officers, but the absence of any process for doing so is a violation of the “Appointments Clause” (Article II, section 2) of the Constitution ([pp. 36–37](#)). Finally, Florida argued that ED’s new interpretations of its rules violate the Administrative Procedure Act because ED failed to open its new requirements to public notice and comment ([pp. 37–39](#)).

If Florida wins the case on the ground that it is unconstitutional to delegate decisions about federal aid eligibility to private accreditors, chaos would not result. Federal aid

eligibility is also controlled by states and by ED. An institution must be authorized by a state to operate in that state, and ED independently assesses whether an institution is financially and administratively capable of participating in financial aid programs. If a court pushes accreditors out of their role as gatekeepers of federal funding, they could return to their traditional mission of quality assurance and improvement, leaving government funding in the hands of the government.

Conclusion

This paper provides an extensive list of politicized accreditation standards and abuses of power by accreditors. ED's flexibility in choosing accreditors promulgated in 2020 provides significant medium-term and long-term relief by introducing competition into the accreditation system. Even more competition would bring additional choice and relief.

For example, under current law, accreditors must be membership associations of the accredited institutions, which means that institutions are mutually approving one another without any significant external checks. Permitting a wider range of accreditors would help. For example,

trade associations are not educational institutions, but their members have deep expertise in their trades. Trade associations are well positioned to determine whether an educational institution is producing high-quality graduates. Accordingly, trade associations could easily develop skill in programmatic accreditation—for instance, a manufacturing association could become an accreditor of manufacturing programs.

Gillen (2020) proposes a different solution for institutions that wish to innovate or otherwise escape from the undue burdens of politicized accreditation. Off-ramps or “escape hatches” would let qualifying institutions, because of achieving superior outcomes on learning or labor market metrics, retain access to student aid programs regardless of accreditation status.

Finally, as many others have proposed, decoupling federal aid from accreditation would enable accreditors to focus on institutional improvement without a sword of Damocles looming over each institution. This financial sword is what gives accreditors their power, and reformers have good reasons to remove it. ★

CAEP, 2022b, Standard RA.1

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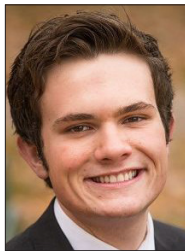
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