



How Florida is Challenging Higher Ed's Accrediting 'Cartel'

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In some ways, university accreditors are like the Federal Reserve: they exercise significant influence over the institutions they regulate, and they usually prefer to do so out of the spotlight, in as boring a way as possible. When lawmakers and the public take notice, much less voice public criticism, something has gone very wrong for them. Thus, it was big news in the world of higher education when Governor Ron DeSantis, citing several longstanding

complaints against the accrediting “cartel,” announced on June 26 the creation of a new institutional accretor, the Commission for Public Higher Education (CPHE).

Institutional accreditors act as gatekeepers for federal financial aid and for student access to transfer credit and graduate programs. So long as their standards simply encourage financial soundness, academic rigor, and healthy student outcomes, this arrangement makes sense. Accreditation,

properly structured, is a form of consumer protection for students, parents, and taxpayers making significant investments in higher education.

Unfortunately, the trend over the past few decades has been for some accreditors to engage in micromanagement of campus policies and political gamesmanship, at times even pressuring schools to violate their states' laws in areas like the prohibition of spending on DEI. And, too often, they allowed themselves to be leveraged by bad actors on campuses who can submit anonymous complaints against their own schools as part of institutional power plays.

Up until a few years ago, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) was the monopoly regional accreditor for the Southeast, and its leadership was notorious for butting heads with elected officials and senior administrators in several states. Frustration with SACSCOC finally reached a crisis point in Florida and North Carolina. Taking advantage of a 2020 federal reform that removed the regional accreditors' geographic monopolies, legislatures in both states passed bills requiring their public colleges and universities to leave SACSCOC for a different accreditor.

Since then, Florida's and North Carolina's schools have started moving into the Higher Learning Commission (HLC), the only other accreditor that expressed a willingness to accept them. However, leaders in several southeastern states recognized two problems: HLC's current openness might not last forever, and the overall accreditation environment still desperately needed reform. This recognition eventually led to a

collaboration across several states to form CPHE as a welcome alternative for public institutions seeking a smarter approach to accreditation.

The federal government prohibits a state from accrediting its own universities, which is why CPHE has been formed by a consortium of six state university systems and functions as an independent nonprofit. Although each founding system has a seat on the Board of Directors, any particular state's director will likely be recused when the Board votes on whether to accredit an institution from that state.

CPHE has important opportunities to improve on the legacy accreditors' business model. In conversations with accreditation experts both within and outside its six founding systems, CPHE staff and Board members have heard about common pain points in the traditional accreditation process along with suggestions for productive reforms.

For example, CPHE plans to accredit only public colleges and universities, allowing it to assume certain practices and capabilities among those institutions. Familiarity with existing, state-mandated practices in the founding systems' states will enable CPHE to streamline the reporting process for member institutions and prevent needless duplication of efforts on their part. Exclusively accrediting public institutions also means that those institutions will experience a more authentic process of peer review. A persistent complaint from many public universities is that the review teams assigned by the legacy accreditors include employees of private schools who lack a decent understanding of the dynamics of a

public institution. This lack of appreciation for the unique mission and governance of public institutions sometimes leads to contentious site visits and unfair findings in final reports.

Similarly, the frequent absence of a true peer relationship among the legacy accreditors' members can distort the standards those accreditors adopt to assess their members. Their boards are often dominated by representatives of small, private universities and community colleges who are tempted to vote for standards that will force their institutions to adopt policies and practices that they favor, but that their home institutions would normally reject. Over time, the standards at several legacy accreditors have become lengthier and more prescriptive as a result, with guidance documents that can run to hundreds of pages. CPHE aims for the restoration of a simpler and more streamlined assessment process that focuses on the fundamentals of academic quality and student success. Its standards will satisfy federal requirements in the ten areas that all accreditors are mandated to assess. Beyond that, it aims to add only those requirements that are manifestly needed to ensure meaningful student outcomes and maintain public confidence.

Where older accreditors tend to suffer from administrative bloat, CPHE will maintain a lean operation. It currently has a small full-time staff and contracts out several administrative functions. Similarly, its Board of Directors is limited to eleven members, allowing it to hold frequent and efficient meetings electronically. By comparison, the legacy accreditors' boards typically have dozens of members; one has

more than seventy! These boards might meet just once or twice per year, creating a significant backlog of action items, lengthy delays for institutions awaiting decisions, and challenges for meaningful board oversight of day-to-day operations.

Shortly after the announcement of CPHE's creation, some defenders of accreditation's *status quo* denounced it as a rightwing assault on higher education that would end academic freedom and faculty's role in the "shared governance" of institutions. The August release for public comment of CPHE's draft standards gave objective observers reason to conclude that those claims are without merit. A fundamental principle stated in CPHE's business plan is that it should not attempt to impose divisive ideological content on the institutions it accredits. To the contrary, CPHE seeks to promote through its standards the academic freedom of faculty, openness to the intellectual diversity at its member schools, and institutional guarantees of free speech and other safeguards appropriate to public institutions. In this commitment, it differs from some of the legacy accreditors, several of which have attempted to mandate ideologically charged policies as a condition of receiving federal funds.

Among public colleges and universities in the six founding states and beyond, the response to CPHE has been enthusiastic. The number of requests to enter the initial cohort of schools applying for accreditation this fall has exceeded the nascent organization's capacity to process, and a waiting list is already growing. This fact is all the more remarkable when one considers that CPHE is not yet eligible to administer

federal financial aid and will not have that eligibility under current federal regulations until late 2027 at the very earliest. (Joining institutions will remain authorized by their current accreditor until CPHE is federally recognized.)

Just as significantly, legacy accreditors are taking notice of CPHE's appeal and are beginning to signal imminent reforms to their own practices in an effort to reduce the incentives for their members to decamp for greener pastures. If this trend continues,

it could be the best possible outcome for everyone. CPHE need not accredit all or even most public universities to bring long-overdue reform to higher education. If it induces the legacy accreditors to mend themselves, CPHE will have helped students, taxpayers, and universities everywhere.

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