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Career Colleges Deserve a Say

By Albert C. Gray

In late January, the U.S. Department of Education held the third and final round of negotiated rule-making discussions to examine a set of 14 rules that would potentially affect career and technical colleges. Negotiated rule-making by the department is intended to carry out some of the provisions of the Higher Education Opportunity Act of 2008, the latest reauthorization of the federal law that makes available federal student aid and preserves institutional quality and integrity.

The group of negotiators included representatives of the Education Department, nonprofit associations, and public and for-profit institutions, as well as consumer groups. To pass the proposed ruling, the negotiators must come to a consensus on all 14 rules. Disagreement over one rule can halt the entire process. Because federal and sector-based negotiators could not reach consensus on several key issues, none of the rules will be adopted until the department completes a notice-of-proposed-rule-making process.

The department expects to release the proposed regulations this spring or in early summer, followed by a 30- to 45-day window for written public commentary. That commentary will be considered by the department in formulating its final version of the regulations, which are expected to be ready for the *Federal Register* by November 1 and effective next year.

Over all, the failure to reach consensus during negotiated rule-making was disappointing but not surprising. The issues are vexing and complex, and not easily resolved through the prescribed process.

Under new requirements, colleges will have to show that a given percentage of their graduates have found gainful employment. During the negotiated rule-making, however, the definition of "gainful employment" provoked strong responses from all higher-education representatives—career colleges and traditional colleges alike

. . . . Of all the state, federal, and independent entities that scrutinize and review institutional performance regarding placement in the field, none have more direct and recurring access to data than national accreditors. Before the Education Department requires certain student

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debt-to-earnings ratios that may have little to do with institutional quality or integrity, it should consider collaborating with accreditors to refine, strengthen, and focus job-placement reporting, analysis, and compliance.

The emphasis on continuous improvement of institutional performance by accreditors like the Accrediting Council for Independent Colleges and Schools, where I serve as president, has established a foundation for gaining participation in and fidelity to quality assurance. Accreditors review and measure student retention and placement, and maintain quantitative and qualitative standards on measurement of satisfactory academic process, student learning, and student and employer satisfaction. By adjusting the frequency, specificity, and depth of job-placement data required of member institutions, accreditors will have an enhanced ability to develop models of best practices and share—or ultimately require—their application. . . .

. . . . Colleges that are accredited by the Accrediting Council for Independent Colleges and Schools are focused on learning outcomes for students and are required to meet and maintain high standards in areas like student retention and job placement. Our organization is the country's largest national accreditor of career-education institutions recognized by the Education Department and the Council for Higher Education Accreditation, and colleges that do not maintain the retention and placement standards can lose accreditation.

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We at the council understand the value of outcome-oriented accreditation in ensuring the best interests of students. We invite those in doubt to review our accredited institutions to better understand the measures taken to secure jobs. Further, we encourage the Education Department to continue to work effectively with accreditors to craft rules that are appropriate and that serve the public interest.

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