In a column many quarters ago, I discussed the principle of complementarity between some SACSCOC Core Requirements (CR) and some Comprehensive Standards (CS). In so doing, I formulated the following table which details CR cross references to others of the approximately 100 SACSCOC standards.

| “Cross References to other related Standards/Requirements, if applicable.” |
|-----------------|------------------|
| 2.1             | None noted       |
| 2.2             | CS 3.2.1, 3.2.2, 3.2.3, 3.2.4 |
| 2.3             | None noted       |
| 2.4             | CS 3.1.1, **FR 4.2** |
| 2.5             | CS 3.3.1, 3.5.1, **FR 4.1** |
| 2.6             | None noted       |
| 2.7.1           | **FR 4.4, FR 4.9** |
| 2.7.2           | **FR 4.2**       |
| 2.7.3           | CS 3.5.1, 3.5.3, **FR 4.2** |
| 2.7.4           | CS 3.4.7         |
| 2.8             | CS 3.7.1         |
| 2.9             | CS 3.8.1, 3.3.1.3 |
| 2.10            | CS 3.3.1.3, 3.9.1-3.9.3, 3.3.9 |
| 2.11.1          | CS 2.2, 3.10.1, 3.10.4 |
| 2.11.2          | CS 3.11.1, 3.11.2, 3.11.3 |
| 2.12            | CS 2.5, 3.3.2    |
I had gathered these cross references from the SACSCOC Resource Manual (RM), which provides cross-referenced correlation between standards regardless of their designation as a “Core Requirement” [CR], a “Comprehensive Standard” [CS], or a Federal Requirement [FR].

As you may remember from past columns, the three distinct categories of SACSCOC standards are uniquely enumerated, ostensively, because each category is unique, but it also permits each category of standards to be readily identified, viz.: CR numbering begins with a two (e.g., 2.1, 2.2, 2.3, etc.); CS numbering begins with a three (3.1, etc.); and, FR numbering begins with a four (4.1, etc.). Unlike many accreditors’ standards, this stratification *sui generis* to SACSCOC.

SACSCOC states that “Accreditation is a higher education self-regulatory mechanism that plays a significant role in fostering public confidence in the educational enterprise and student learning, in maintaining minimum standards, and in enhancing institutional effectiveness. It also serves as a means by which institutions recognize and accept one another.”

[http://www.sacscoc.org/pdf/081705/Guidelines%20for%20Addressing%20Distance%20and%20Correspondence%20Education.pdf](http://www.sacscoc.org/pdf/081705/Guidelines%20for%20Addressing%20Distance%20and%20Correspondence%20Education.pdf)

This begs several beguiling questions: why do Federal Requirements exist and what are Federal Requirements and how — if at all — do they differ from a Core Requirements and Comprehensive Standards?

**WHY?**

As Paul L. Gaston notes in his recently published book, *Higher Education Accreditation: How it’s changing, why it must* (Sterling, VA: Stylus Publishing, LLC, 2014), several pieces of “landmark legislation” have predicated accreditors as quasi-governmental gatekeepers for institutions wishing to access *sine qua non* Title IV funds: the Servicemen’s Readjustment Act of 1944 (AKA “The GI Bill”); the National Defense Education Act (NDEA) of 1958 which funds NDEA fellowships and college loans; and, the Higher Education Act (HEA) of 1965, renewed
several times – most recently in 2008 (NOTE: Current authorization for HEA programs expired at the end of 2013, but has been extended through 2015 while Congress prepares changes and amendments), which established additional review of accredited institutions in order for receipt of Title IV funds. HEA (1965) was intended “to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.” Paramountly, this law authorized Title IV funds, which are the indispensable fiscal life-blood of many higher education institutions.

As Gaston observes:

*Title IV, one part of the Higher Education Act of 1965, authorizes the distribution of federal financial aid in higher education. Having defined the purpose of Title IV as the extension of “the benefits of postsecondary education to eligible students,” the law identifies five approaches: federal Pell Grants; “supplemental educational opportunity grants to those students who demonstrate financial need”; payments to states “to assist them in making financial aid available”; “providing assistance to institutions of higher education”; and, perhaps most notable, the “trio” of “special programs and projects designed to (a) identify and encourage qualified youths with financial or cultural need with a potential for postsecondary education, (b) prepare students from low-income families for postsecondary education, and (c) provide remedial (including remedial language study) and other services to students” (Sec. 400 [20 U.S.C. 1070]. There are now eight such programs, rather than three, but “Trio” survives as the collective designation. To avoid the necessity of creating a new bureaucracy or further burdening an existing one, the law provided that accrediting organizations recognized by the USDE would determine eligibility for such funds. Hence, if their students are to be eligible for federal student aid under Title IV, programs and institutions must be accredited by a recognized agency.*

**WHAT?**

Both the SACSCOC Resource Manual and the SACSCOC Handbook for Institutions Seeking Re-affirmation (but not the SACSCOC Principles) provide the following definition of Federal Requirements:
The Federal Requirements in The Principles of Accreditation reflect criteria established by the U.S. Department of Education for inclusion in regional accreditation reviews.

However, the SACSCOC Principles, do provide a multi-paragraph, explanatory introduction to each subset of CR/CS/FR standards. The following three paragraphs constitute SACSCOC verbatim introduction to the Federal Requirements section of the Principles:

The U.S. Secretary of Education recognizes accreditation by SACS Commission on Colleges in establishing the eligibility of its accredited institutions to participate in programs authorized under Title IV of the Higher Education Act, as amended, and other federal programs. Federal statutes include mandates that the Commission review an institution in accordance with criteria outlined in the federal regulations developed by the U.S. Department of Education. As part of the review process, institutions are required to document compliance with those criteria responding to federal mandates and the Commission is obligated to consider such compliance when the institution is reviewed for initial membership or continued accreditation.

Application of the Requirements. The Commission on Colleges bases its accreditation of degree-granting higher education institutions and entities on requirements in the Principles of Accreditation: Foundations for Quality Enhancement. These requirements apply to all institutional programs and services, wherever located or however delivered. This includes programs offered through distance and correspondence education, and at off-campus instructional sites and branch campuses. Consequently, when preparing documents for the Commission demonstrating compliance with the Principles of Accreditation, an institution must include these sites and programs in its “Institutional Summary Form Prepared for Commission Reviews” and address them in its analysis and documentation of compliance. (See Commission policy “Distance and Correspondence Education.”)

The Requirement of a Policy. Implicit in every Federal Requirement mandating a policy or procedure is the expectation that the policy or procedure is in writing and has been approved through appropriate institutional processes, published in appropriate institutional documents accessible to those affected by the policy or procedure, and imple-
mented and enforced by the institution. At the time of review, an institution will be expected to demonstrate that it has met all of the above elements. If the institution has had no cause to apply its policy, it should indicate that an example of implementation is unavailable because there has been no cause to apply it. (See Commission best practices, “Developing Policy and Procedures Documents.”)

Of the major regional U.S. accreditors, SACSCOC is the only one who parses its standards into a discrete and consciously identifiable Federal Requirements section. Many of these DOE-mandated requirements emanate from part 34 of the U.S. Code of Federal Regulations (CFR), which deals with EDUCATION, such as: 34 CFR 602, which delineates THE [DOE] SECRETARY’S RECOGNITION OF ACCREDITING AGENCIES. The Code of Federal Regulations constitutes the codification of the general and permanent rules and regulations (sometimes called administrative law) as published in the Federal Register by the executive departments and agencies of the federal government of the United States. The CFR is divided into 50 titles that represent broad areas subject to federal regulation.

Apparently, the other regional accreditors, which DO address these topics, incorporate any such DOE-mandated strictures into their respective existing standards’ algorithms. The SACSCOC Federal Requirement comprise standard 4.1-4.9, and cover the following topics:

⇒ FR 4.1 (Student achievement)
⇒ FR 4.2 (Program curriculum)
⇒ FR 4.3 (Publication of policies)
⇒ FR 4.4 (Program length)
⇒ FR 4.5 (Student complaints)
⇒ FR 4.6 (Recruitment materials)
⇒ FR 4.7 (Title IV program responsibilities)
⇒ FR 4.8 (Distance and correspondence education)
  • 4.8.1 (identity of a student who participates in class or coursework)
  • 4.8.2 (written procedure for protecting the privacy of students)
  • 4.8.3 (written procedure distributed at the time of registration or enrollment that notifies students of any projected additional student charges)
⇒ FR 4.9 (Definition of credit hours)
However, based on one of my prior years’ SACSCOC on-site assignment sheets, the following CR/CS standards also possess a DOE-mandated review component:

2.8 The number of full-time faculty members is adequate to support the mission of the institution and to ensure the quality and integrity of its academic programs. (Faculty)

2.10 The institution provides student support programs, services, and activities consistent with its mission that promote student learning and enhance the development of its students. (Student Support Services)

3.2.8 The institution has qualified administrative and academic officers with the experience, competence, and capacity to lead the institution. (Qualified administrative/academic officers)

3.3.1 The institution identifies expected outcomes, assesses the extent to which it achieves these outcomes, and provides evidence of improvement based on analysis of the results in each of the following areas (Institutional Effectiveness):

3.3.1.1 educational programs, to include student learning outcomes
3.3.1.2 administrative support services
3.3.1.3 educational support services
3.3.1.4 research within its educational mission, if appropriate
3.3.1.5 community/public service within its educational mission, if appropriate

3.4.3 The institution publishes admissions policies that are consistent with its mission. (Admissions policies)

3.4.11 For each major in a degree program, the institution assigns responsibility for program coordination, as well as for curriculum development and review, to persons academically qualified in the field. In those degree programs for which the institution does not identify a major, this requirement applies to a curricular area or concentration. (Academic program coordination)

3.10.3 The institution audits financial aid programs as required by federal and state regulations. (Financial aid audits)

3.11.3 The institution operates and maintains physical facilities, both on and off
campus, that appropriately serve the needs of the institution’s educational programs, support services, and other mission-related activities. (Physical facilities)

To achieve compliance, all FR’s must receive the same scrupulous attention as the CR’s and CS’s irrespective of the specific focus of their topic.

Anyone who has served on a SACSCOC onsite committee will also tell you that the Federal Requirements are one that committee members need to review in person while on site. These standards are often designated with an asterisk, e.g. *4.1. SACSCOC’s DIRECTIONS FOR COMPLETION OF THE REPORT OF THE REAFFIRMATION COMMITTEE: For Off-Site and On-Site Reaffirmation Committees delineate the protocols for use with these standards, viz.:

Protocol 3 – Standards Preceded by an Asterisk: All standards marked with an asterisk must be reviewed on site regardless of the judgment rendered by the Off-Site Reaffirmation Committee. The function of the On-Site Reaffirmation Committee is to make an informed independent judgment regarding compliance.

a. The Off-Site Reaffirmation Committee finds compliance for standards with asterisks and the On-Site Reaffirmation Committee also finds compliance. The narrative of the Off-Site Reaffirmation Committee will be retained in the final report substantially as originally written. The On-Site Reaffirmation Committee conducts its review in accord with Commission practices, enhances the narrative only if needed and adds the following macro: “The On-Site Reaffirmation Committee reviewed documents and conducted interviews in support of the institution’s case for compliance and affirms the findings of the Off-Site Reaffirmation Committee.”
b. The Off-Site Reaffirmation Committee finds compliance for standards with asterisks but the On-Site Reaffirmation Committee finds non-compliance. The narrative of the Off-Site Reaffirmation Committee will be retained in the final report substantially as originally written; the On-Site Reaffirmation Committee conducts its review in accord with Commission practices, adds its findings and documentation, and then states its recommendation.

c. The Off-Site Reaffirmation Committee finds non-compliance for standards with asterisks and the On-Site Reaffirmation Committee also finds non-compliance. The narrative of the Off-Site Reaffirmation Committee will be retained in the final report substantially as originally written; the On-Site Reaffirmation Committee conducts its review in accord with Commission practices, adds its findings and documentation, if needed, and then states its recommendation.

d. The Off-Site Reaffirmation Committee finds non-compliance for standards with asterisks and the On-Site Reaffirmation Committee finds compliance. The narrative of the Off-Site Reaffirmation Committee will be retained in the final report substantially as originally written. The On-Site Reaffirmation Committee conducts its review in accord with Commission practices and adds its findings and documentation.

On the SACSCOC.org web page, the Commission posts an image file of its superannuated *Criteria for Accreditation*, 11th edition, 2nd printing, which were approved by the College Delegate Assembly on December 1984. The *Criteria* constituted the historical antecedents of the *Principles of Accreditation*. As such, one might review the *Criteria* Table of Contents for enumeration of any forerunners of the current Federal Requirements (there were none) as well as for the word “federal,” which appears in the fol-
ollowing prefaced statement:

*Statements throughout the Criteria which are bolded and italicized are criteria mandated by the 1992 Higher Education Amendments. Institutions participating in Title IV Programs are required to meet these criteria. If the federal government alters the regulations, the Commission will apply the criteria in accordance to changes in the regulations.*

So, then as now, the exigencies associated with disbursal of Title IV drives much of the feds’ involvement in higher education, particularly for for-profit universities. If I remember correctly, at the time of SU’s 2005 Compliance Certification report, only federal requirements 4.1 through 4.6 existed. That means FR 4.7, FR 4.8.1-.3, and FR 4.9, see below, have been added since 2005, presumably to maintain federal control over the dynamics associated with higher education’s dramatic e-learning increase:

- FR 4.7 (Title IV program responsibilities)
- FR 4.8 (Distance and correspondence education)
  - 4.8.1 (identity of a student who participates in class or coursework)
  - 4.8.2 (written procedure for protecting the privacy of students)
  - 4.8.3 (written procedure distributed at the time of registration or enrollment that notifies students of any projected additional student charges)
- FR 4.9 (Definition of credit hours)

Accordingly, I asked the university’s SACSCOC VP at the 2015 SACSCOC conference if/when SACSCOC anticipated adding any new Federal Requirements (such as FR 4.10). She did not have a definite answer, although we all agreed that federal oversight of higher education appears to be racketing up in advance of the reauthorization of the Higher Education Act precipitating SACSCOC’s own review its *Principles of Accreditation*. Timeline for that Project: Review by the Principles Review Committee and the Membership of any proposed changes: March 1, 2016- through March 1, 2017; Review and adoption by the SACSCOC Board of Trustees: June 2017; review and final vote of adoption by the member institutions of SACSCOC: December 2017 during the Annual Meeting.
The creation of the new federal requirements applicable to all DOE-recognized accreditors went into effect on July 1st, 2011 and the more recent “gainful employment/public disclosure” issues effective in 2014. A useful source for additional insights is the Council for Higher Education Accreditation’s Federal Update Newsletters (http://www.chea.org/Government/index.asp#FedUpdate), such as these following from last year (2015):

CHEA Federal Update Newsletter

- **Number 50, November 16, 2015**
  
  U.S. Department of Education announces agenda of transparency and outcomes for accrediting organizations and reports on other federal issues.

- **Number 49, October 8, 2015**
  
  Senators Bennet, Rubio introduce bill to create alternative to accreditation and reports on other federal issues.

- **Number 48, July 9, 2015**
  
  Reports on CHEA 2015 Summer Workshop, recent Senate HELP Committee hearing, National Advisory Committee on Institutional Quality and Integrity (NACIQI) meeting and other federal issues.

- **Number 47, March 13, 2015**
  
  CHEA sends letters supporting higher education regulatory relief bills in the U.S. House of Representatives and Senate and updates on other federal issues.

- **Number 46, January 13, 2015**
  
  USDE releases framework for college ratings system and updates on other federal issues.

In its *Resource Manual*, SACSCOC includes APPENDIX C, which contains the following evaluators’ *Guidelines for Addressing Distance and Correspondence Education*

For purposes of this essay, interestingly, this covers Federal Requirements as it “provides assistance for committee members when preparing to serve as evaluators of distance and corre-
spondence education. It should be used in conjunction with the *Principles of Accreditation*, the *Resource Manual*, and the *Handbook for Peer Evaluators* as well as the Commission policy “Distance and Correspondence Education.” It is divided into four sections, one of which provides the following potentially insightful expectations and follow-on questions exercise:

**Federal Requirements**

**Expectation 1:** The institution is expected to provide distance education students with processes by which they can submit complaints.

Questions: Do distance education students know how they may file a complaint and receive feedback on resolution of the complaint?

Is there a process by which a distance education student may file a complaint and receive response within a reasonable time is provided to the student upon registration?

Does documentation exist indicating that institutions are responsive to student complaints and to resolving the complaint within a reasonable time period?

**Expectation 2:** All recruitment materials accurately represent the institution’s practices and policies.

Questions: Who is responsible for ensuring the accuracy of materials used for the recruitment of students? What is the process for maintaining accuracy?

Are recruitment materials accurate?

**Expectation 3:** An institution that offers distance or correspondence education demonstrates that the student who registers in a distance or correspondence education course or programs is the same student who participates in and completes the course or program and receives the credit by verifying the identity of a student who participates in class or coursework by using such methods as (1) a secure login and pass code,

(2) proctored examinations, or (3) new or other technologies and practices that are effective in verifying student identification.

Questions: What are the methods used by the institution to verify student
identity?
Are the methods adequate and effective?

**Expectation 4:** The institution has a written procedure for protecting the privacy of students enrolled in distance and correspondence education courses or program.

Questions: What is the procedure for protecting the privacy of students enrolled in these courses? Is the procedure adequate and effective?

**Expectation 5:** The institution has a written procedure distributed at the time of registration or enrollment that notifies students of any projected additional student charges associated with verification of student identity (if a charge is assessed).

Questions: What is the procedure for notifying students regarding additional student charges associated with such verification? Where is it written and how is the student notified? What is the timing of notification?

I hope these insights into this particular grouping of Federal Requirements have been helpful. If you have questions, kindly let me know.