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DATE: May 8, 2025  
TO: U.S. Department of Education and National Advisory Committee on Institutional Quality and Integrity (NACIQI)  
FROM: Adam Kissel, Center for Education Policy, The Heritage Foundation  
RE: Southern Association of Colleges and Schools, Commission on Colleges

This comment pertains to the application for renewal of recognition from the Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC), which NACIQI plans to review at its summer 2026 meeting. I submit this comment in response to the U.S. Department of Education's call for third-party comments at [FR Doc. 2025-05853](#).

### **Commenter Information**

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### **SACSCOC Noncompliance—Applicable Provisions**

For the reasons given below, SACSCOC is likely out of compliance with two of the criteria for the recognition of accrediting agencies, namely, 34 CFR § 602.16, “Accreditation and preaccreditation standards,” and § 602.17, “Application of standards in reaching accreditation decisions.” As a result, SACSCOC cannot be considered a reliable authority as to the quality of education regarding the institutions it accredits pursuant to 20 U.S.C. § 1099b.

In particular, SACSCOC does not comply with paragraph (a) of 34 CFR § 602.16, which requires that “[t]he agency must demonstrate that it has standards for accreditation ... that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits,” including “[s]uccess with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of State licensing examinations, course completion, and job placement rates” (34 CFR § 602.16(a)(1)(i)).

SACSCOC also does not comply with subparagraph (a)(2) of 34 CFR § 602.17 because it fails to effectively evaluate “whether an institution ... [i]s successful in achieving its stated objectives at both the institutional and program levels.”

The two areas in which SACSCOC fails the criteria of §§ 602.16 and 602.17 are *graduation rates* and *return on investment*.

20 U.S.C. § 1099b(a) states, in relevant part, that “[n]o accrediting agency or association may be determined by the Secretary [of Education] to be a reliable authority as to the quality of education or training offered for the purposes of this chapter or for other Federal purposes, unless the agency or association meets criteria established by the Secretary pursuant to this section. ... Such criteria shall include an appropriate measure or measures of student achievement.”

In particular, 20 U.S.C. § 1099b(a)(5)(A) requires the Secretary’s criteria to include whether an accreditation agency’s or association’s standards assess each institution’s “success with respect to student achievement in relation to the institution’s mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of State licensing examinations, consideration of course completion, and job placement rates.”

This is the language behind the Secretary’s criteria in § 602.16 and, more generally, § 602.17. Yet, while many institutions that hold SACSCOC accreditation have poor graduation rates and poor or *negative* return on investment across many degree programs, SACSCOC has not found these institutions in violation of its standards of success with respect to student achievement.

### **SACSCOC Noncompliance—General Data**

SACSCOC is no exception to the findings of researchers Stig Leschly and Yazmin Guzman, who found, using extensive evidence from the Department of Education’s Database of Accredited Postsecondary Institutions and Programs (DAPIP), the following with regard to accreditors recognized by the Department:

Of the 31,699 accreditor actions that we analyze, all of which occurred between 2012 and 2021, only 2.7% were ones in which an accreditor disciplined or sanctioned a college for inadequate student outcomes or low-quality academic programming. The other 97.3% of formal oversight activity by accreditors was supportive of colleges or focused on non-academic matters (governance, finances, general compliance, etc.).

Low graduation rates, high loan default rates, and low median student earnings did not increase the likelihood that an accreditor would take disciplinary action towards a college.

Only 564 (11%) of the 5,195 colleges in our sample experienced one or more disciplinary actions related to student outcomes or academic program quality from an accreditor. Sixty-four percent (64%) of these institutions were small certificate-granting institutions, mainly beauty and barber schools, overseen by national accreditors.<sup>1</sup>

Only 4 percent of SACSCOC’s disciplinary actions in the period studied were “quality-related,” as reported by Leschly and Guzman—totaling 59 actions out of 1,364 (Exhibit 13(b), p. 22).

The authors counted three areas of “accreditor action justifications”: concerns about academic quality, recruiting and admissions practices, and “student achievement,” plus a narrative analysis of the “Other” category (pp. 26, 27). If the authors had limited their study just to the “student achievement” category and relevant “Other” concerns, their findings would show even fewer data points in general and for SACSCOC in particular.

Indeed, the published DAPIP data as of April 27, 2025, appear to show SACSCOC’s actions coded as “Warning or Equivalent—Factors Affecting Academic Quality” decreasing as follows:

2017	4 actions
2018	7 actions
2019	7 actions
2022	3 actions
2024	3 actions <sup>2</sup>

These data suggest that, even if NACIQI was once satisfied with SACSCOC’s enforcement and compliance regarding § 602.16 and § 602.17, in recent years SACSCOC has become even more lax than before. (Note, however, that the DAPIP data are presented in an extremely user-unfriendly manner, and without tracking down and cross-referencing unique identifiers and accreditors’ reports, it appears unclear whether the data field in

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<sup>1</sup> Stig Leschly and Yazmin Guzman, “Oversight of Academic Quality and Student Outcomes by Accreditors of US Higher Education: Evidence from the Database of Accredited Postsecondary Institutions and Programs,” Harvard Business School (College101), Spring 2022, <https://postsecondarycommission.org/wp-content/uploads/2022/06/College101-Accreditor-College-Quality-Report-FINAL-062822.pdf> (accessed April 27, 2025).

<sup>2</sup> Data file available at <https://ope.ed.gov/dapip/#/download-data-files> (accessed April 27, 2025).

question refers to removing institutions from a warning status as much as to putting institutions on that status.)<sup>3</sup>

### **SACSCOC Noncompliance—Specific Data on Graduation Rates**

SACSCOC’s accreditation standards include a nod to student achievement but do no better than expect an institution to be “seeking improvement” rather than showing results:

To meet the goals of educational programs, an institution provides appropriate academic and student services to support student success.

- 1. The institution identifies, evaluates, and publishes goals and outcomes for student achievement appropriate to the institution’s mission, the nature of the students it serves, and the kinds of programs offered. The institution uses multiple measures to document student success. (*Student achievement*) [CR]**
2. The institution identifies expected outcomes, assesses the extent to which it achieves these outcomes, and provides evidence of seeking improvement based on analysis of the results in the areas below:
  - a. student learning outcomes for each of its educational programs.  
(*Student outcomes: educational programs*)
  - b. student learning outcomes for collegiate-level general education competencies of its undergraduate degree programs.  
(*Student outcomes: general education*)
  - c. academic and student services that support student success.  
(*Student outcomes: academic and student services*)<sup>4</sup>

SACSCOC’s *Resource Manual*<sup>5</sup> and “Interpretations”<sup>6</sup> of its standards likewise require no quality standard at all, including with respect to graduation rates. These documents expect no more than that an institution measure itself by its own standards and show that it is seeking improvement. In short:

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<sup>3</sup> Compare DAPIP with SACSCOC’s reports on its actions at <https://sacscoc.org/institutions/accreditation-actions-and-disclosures/december-2024-accreditation-actions-and-public-disclosure-statements/>.

<sup>4</sup> SACSCOC, *The Principles of Accreditation: Foundations for Quality Enhancement*, 2024 ed. (Dec. 2023), <https://sacscoc.org/app/uploads/2024/01/2024PrinciplesOfAccreditation.pdf> (accessed April 27, 2025). All formatting in original.

<sup>5</sup> <https://sacscoc.org/app/uploads/2024/02/2024-POA-Resource-Manual.pdf> (accessed April 27, 2025).

<sup>6</sup> <https://sacscoc.org/app/uploads/2020/01/Interpret-CR-8.1.pdf> (accessed April 27, 2025).

The institution is responsible for justifying both the criteria it utilizes and the thresholds of acceptability it sets. ... While this standard does not ask what the institution does when it finds it falls short of its own expectations, institutions not meeting their self-identified thresholds of performance would be expected to document efforts to meet [their own] expectations.<sup>7</sup>

Additionally, SACSCOC's interpretation of its Standard 8.1 risks putting institutions out of compliance with civil rights laws:

In order to maximize institutional effectiveness in the area of student achievement goals, member institutions should also disaggregate graduation rate data by appropriate demographics. Those demographic characteristics typically include gender, race, ethnicity, and Pell/Non-Pell status. ... Institutions should, as a result of the analysis of such disaggregated data, report any ongoing institutional strategies to seek improvement in closing completion gaps among student populations when addressing compliance with this standard.

NACIQI should note the legal and financial risk to institutions which, in trying to comply with SACSCOC Standard 8.1, have the purpose or effect of treating students differently on the basis of membership in protected classes in order to "clos[e] completion gaps."<sup>8</sup>

In the context of SACSCOC's failure to have and enforce any of its own quality standards for graduation rates beyond what institutions set for themselves, it is clear that SACSCOC is out of compliance with the criteria of 34 CFR §§ 602.16 and 602.17.

As a result, please consider the following:

At the threshold level of a 33 percent or lower four-year undergraduate graduation rate, there are 131 institutions in SACSCOC's traditional geographic scope (Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee,

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<sup>7</sup> *Id.*, p. 1.

<sup>8</sup> Cp. Executive order, "Restoring Equality of Opportunity and Meritocracy," April 23, 2025, <https://www.whitehouse.gov/presidential-actions/2025/04/restoring-equality-of-opportunity-and-meritocracy/> (accessed April 27, 2025), disavowing disparate-impact liability; *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181 (2023), stating that "Eliminating racial discrimination means eliminating all of it" with reference to institutions' civil rights obligations.

Texas, and Virginia). This means that for each student who graduates with a bachelor's degree at the institutions on time, two do not.<sup>9</sup>

At the threshold of a 25 percent or lower graduation rate, there are 75 institutions in SACSCOC's traditional geographic scope. At the 20 percent level, it's 51 institutions (four students not finishing the degree at the institution for each one who does). At the 9 percent level (ten not finishing for each one who does), there are still nine institutions:

Allen University  
 Georgia Gwinnett College  
 LeMoyne-Owen College  
 Paine College  
 Shaw University  
 Southern University–New Orleans  
 Stillman College  
 Texas Southern University  
 University of Houston–Victoria

But where is SACSCOC?

Some institutions have large transfer rates, which might make such data points unrepresentative of college quality, since many students who transfer complete their degrees elsewhere (perhaps recognizing, however, that the college such students left is of low quality). Even so, for the remaining institutions at any low threshold, SACSCOC's lack of enforcement of college quality represents an extreme level of wasted resources—for the student, for the state, and for the Nation<sup>10</sup>—betraying the Federal purpose of using third-party accreditation to ensure that Federal funds for postsecondary education are used only on institutions about which an accreditor has assured the Secretary as to the quality of education.

In sum, unfortunately, in the area of graduation rates, SACSCOC is *not* a reliable authority as to the quality of education either by its own standards or by the demonstrated outcomes

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<sup>9</sup> See data presented by the American Council of Trustees and Alumni at [whatwilltheylearn.com](https://whatwilltheylearn.com) (accessed April 27, 2025).

<sup>10</sup> Quantifying the wasted resources is more than a commenter needs to show here. Please see the College Navigator website to learn, for example, that Georgia Gwinnett College students received \$12,235,876 in Federal grants and \$2,403,800 in Federal student loans in 2022–2023, and to learn the college's low six-year and eight-year graduation rates as well as its high proportion of students transferring out (<https://nces.ed.gov/collegenavigator/?q=gwinnett&s=all&id=447689>, accessed April 27, 2025).

of the institutions it accredits, demonstrating SACSCOC’s noncompliance with 34 CFR §§ 602.16 and 602.17.

### **SACSCOC Noncompliance—Specific Data on Return on Investment**

It does not appear that SACSCOC has any standard regarding the financial outcomes of institutions’ graduates, even though financial outcomes tend to be a primary reason that students pursue a postsecondary credential (suggesting that colleges are not fulfilling their own missions when they do not leave even their graduating students better off financially), and even though financial outcomes are plainly an excellent proxy for the quality of education in a large proportion of cases (the factor that matters for SACSCOC compliance with 34 CFR §§ 602.16 and 602.17).

The lack of such a standard is evident in the actual financial outcomes for graduates of degree programs at institutions accredited by SACSCOC. Such outcomes are provided in detail in a May 8, 2024, report by the Foundation for Research on Equal Opportunity’s Preston Cooper titled, “Does College Pay Off? A Comprehensive Return on Investment Analysis,” based primarily on College Scorecard data.<sup>11</sup>

To take just a snapshot of Cooper’s findings—the financially worst bachelor’s degree programs at institutions in Georgia and Florida that are accredited by SACSCOC—please note the following institutions’ programs with a massive *negative* return on investment (skipping a few among the worst since so many are in the fields of drama and music):

<u>SACSCOC Institution (<i>Program</i>)</u>	<u>Return on Investment</u> <u>(assuming on-time graduation)</u>
<i>Georgia</i>	
Brenau University ( <i>drama</i> )	–\$518,293
Morehouse College ( <i>communications</i> )	–\$466,142
Georgia Southern University ( <i>drama</i> )	–\$462,095
Kennesaw State University ( <i>music</i> )	–\$428,125
Covenant College ( <i>English</i> )	–\$292,905
Savannah College of Art and Design ( <i>rhetoric/writing</i> )	–\$298,856

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<sup>11</sup> FREOPP, <https://freopp.org/whitepapers/does-college-pay-off-a-comprehensive-return-on-investment-analysis/> (accessed April 27, 2025).

### *Florida*

Ringling College of Art and Design ( <i>film</i> )	–\$743,173
Florida International University ( <i>music</i> )	–\$515,124
University of Miami ( <i>ecology/evolution</i> )	–\$489,467
University of South Florida ( <i>dance</i> )	–\$450,501
Eckerd College ( <i>biology</i> )	–\$421,399
Hodges University ( <i>criminal justice</i> )	–\$354,402

These institutions’ programs—and many more—leave their students worse off financially to the tune of hundreds of thousands of dollars.

But where is SACSCOC?

Once again, in the area of student financial outcomes, SACSCOC is *not* a reliable authority as to the quality of education either by its own standards or by the demonstrated outcomes of the institutions it accredits, demonstrating SACSCOC’s noncompliance with 34 CFR §§ 602.16 and 602.17.

### **Conclusion**

The evidence is clear and very sad for tens of thousands of students (if not hundreds of thousands) each year who attend institutions of higher education that are accredited by SACSCOC but whose institutions are not leaving them better off. Many of these students leave college with debt but no degree. Many others leave with a credential but hundreds of thousands of dollars worse off than if they had not attended college in the first place.

It is nonsensical to think that SACSCOC legitimately evaluates “whether an institution ... [i]s successful in achieving its stated objectives at both the institutional and program levels,” given the poor performance of accredited institutions in the areas of graduation rates and financial outcomes of graduates. Likewise, given the information above, it would be arbitrary and capricious to conclude that SACSCOC “has standards for accreditation ... that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits.”

SACSCOC’s noncompliance with 34 CFR §§ 602.16 and 602.17 is a severe humanitarian disaster. SACSCOC cannot be trusted as a reliable authority as to the quality of education regarding the institutions it accredits pursuant to 20 U.S.C. § 1099b and its implementing regulations.

I hope that NACIQI agrees and acts accordingly on SACSCOC’s application for renewal of recognition.