



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

In the Matter of

**AMERICAN ACADEMY FOR
LIBERAL EDUCATION,**

Docket No. 08-03-O

**Accrediting Agency
Recognition Proceeding**

Respondent.

DECISION OF THE SECRETARY

This matter comes before me on appeal by the American Academy for Liberal Education (AALE) of the December 18, 2007 recommendation of the National Advisory Committee on Institutional Quality and Integrity (Advisory Committee) regarding AALE's status as a nationally recognized accrediting agency. Pursuant to Section 496 of the Higher Education Act of 1965, as amended (HEA), 20 U.S.C. § 1099b (2005), all recognized accrediting agencies must periodically reapply for renewed recognition. The outcome of this proceeding is a determination of whether an accrediting agency is a reliable authority as to the quality of education or training offered by institutions or programs it accredits.¹

In reviewing AALE's most recent application for continued recognition, the Advisory Committee made three recommendations, namely, that I: (1) lift AALE's limitation on the scope of its recognition, (2) require AALE to submit an interim compliance report by June 19, 2008,

¹ This proceeding follows a decision set forth in my letter issued on April 30, 2007, deferring my final decision regarding AALE's application for continued recognition until AALE made an appearance before the Advisory Committee in December 2007, wherein AALE would have an opportunity to demonstrate full compliance with the Secretary's Criteria for Recognition pursuant to 34 C.F.R. Part 602. In that decision, I noted my concern that since 2001 AALE had been cited consistently for either not having clear standards with respect to measuring student outcomes or not collecting and reviewing data on how institutions it accredits measure student outcomes. As a result of my concerns and in agreement with the recommendations of the Advisory Committee, I imposed a restriction on AALE's scope of recognition to include only currently accredited institutions and programs by AALE; AALE could not recognize additional institutions or programs. Notably, in this proceeding, the Advisory Committee and the Office of Postsecondary Education (OPE) agree that as a result of the recent improvements implemented by AALE, the restriction on the scope of AALE's recognition should be lifted.

and (3) extend AALE's continued recognition as a nationally recognized accrediting agency for a 12-month deferral period for good cause.²

It must be noted that at the start of the December 2007 meeting it was recognized by OPE and the Advisory Committee that AALE demonstrated that it was in compliance with 11 of 13 findings cited in my April 30, 2007 letter. Therefore, during the Advisory Committee's meeting the only two issues remaining were whether AALE was in compliance with 34 C.F.R. § 602.16(a)(1)(i) (requiring an effective accrediting standard to assess successful student achievement) and 34 C.F.R. § 602.19(b) (requiring accrediting agencies to monitor the institutions they accredit between accreditation decisions).

In its brief AALE argues that instead of adopting all of the Advisory Committee's recommendations, I should grant AALE's application for continued recognition for a period of five years and require AALE to submit an interim report by June 19, 2009. In support of its position, AALE argues that the record of this proceeding demonstrates that AALE satisfies the statutory criteria for recognition.

In response to AALE's appeal, the Office of Postsecondary Education (OPE) asserts in its brief that after a careful review of AALE's application for continued recognition and the record in this proceeding, OPE is now in agreement with AALE that the accrediting agency's application should be approved. To wit, OPE argues that I should accept the Advisory Committee's recommendation to lift AALE's limitation on the scope of its recognition, but reject the Advisory Committee's recommendation to extend this proceeding for an additional 12-month deferral period.³ In OPE's view, since AALE has demonstrated recent compliance with all the criteria for recognition identified as deficient in my April 30, 2007 letter, it is appropriate to grant continued recognition to AALE for a period of five years.⁴

After a review of the entire record in this matter, I find that AALE has demonstrated compliance with the criteria for recognition established pursuant to the Higher Education Act of 1965, as amended, 20 U.S.C. § 1099b (2005) and 34 C.F.R. Part 602.

However, I am granting AALE recognition for a three-year period rather than the five-year period requested in the briefs of AALE and OPE. This lesser scope of recognition period is a result of my continued concerns stemming from AALE's being cited consistently since 2001 for either not having clear standards with respect to measuring student outcomes or not collecting and reviewing data on how institutions it accredits measure student outcomes. AALE has made

² AALE does not challenge the Advisory Committee's recommendation that AALE submit an interim report or that limitations on the scope of AALE's recognition be lifted.

³ Pursuant to 34 C.F.R. § 602.35(b)(3)(iv), the deferral period that the Secretary may establish may not exceed 12-months, however, the Secretary may grant an extension of an expiring deferral period, if good cause is shown by the accrediting agency.

⁴ OPE recommends that AALE be required to submit a progress report in three years that demonstrates implementation of consistent student achievement standards and monitoring mechanisms as required by 34 C.F.R. § 602.18.

significant progress and deserves a renewal of its recognition, but a three-year recognition period is appropriate under the circumstances and supported by a review of the entire record of this matter. This three-year recognition period shall have commenced at the Advisory Committee meeting in December 2007 and will expire on December 31, 2010.

In response to my concerns and the concerns raised by the Advisory Committee and OPE regarding a future assessment of AALE's implementation of its recently adopted student achievement standards and institutional monitoring mechanisms, I am requiring AALE to submit an interim report on June 19, 2009, that demonstrates AALE's continued implementation of student achievement standards and monitoring mechanisms as required by 34 C.F.R. §§ 602.16(a)(1)(i) and 602.19(b). In addition, I am requiring AALE to submit a progress report to OPE on November 15, 2008, detailing the progress it has made toward complying with the requirement for an interim report due on June 19, 2009, and to appear before the Advisory Committee at its December 2008 meeting to report on AALE's progress.

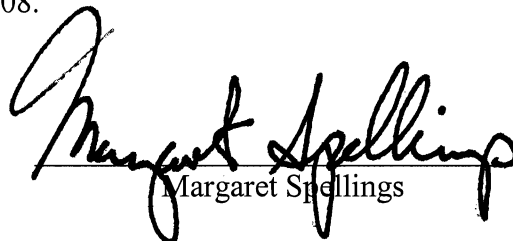
Moreover, as set forth in OPE's brief, AALE is required to clarify and supplement its written materials regarding AALE's process for determining compliance with its standards for student achievement; this is necessary to ensure that AALE's interim report demonstrating its implementation of its student achievement standards reflects the consistency required of a recognized accrediting agency as required by 34 C.F.R. § 602.18.

ORDER

IT IS HEREBY ORDERED That the application for continued recognition as a nationally recognized accrediting agency by the American Academy for Liberal Education be approved for a period of three years, with the three-year recognition period having commenced at the Advisory Committee meeting in December 2007 and expiring on December 31, 2010, and that the limitation on the scope of recognition be LIFTED,

IT IS FURTHER ORDERED That the American Academy for Liberal Education submit an interim report to the Office of Postsecondary Education on June 19, 2009, demonstrating implementation of student achievement standards and monitoring standards and policies in a manner consistent with the criteria for recognition and as set forth above. In addition, AALE shall submit a progress report to the Office of Postsecondary Education on November 15, 2008, detailing the progress it has made toward complying with the requirement for an interim report due on June 19, 2009, and to appear before the National Advisory Committee on Institutional Quality and Integrity at its December 2008 meeting to report on AALE's progress.

So ordered this 22nd day of July 2008.


Margaret Spellings

Washington, D.C.

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