PROTECT *the* PUBLIC'S TRUST

September 21, 2026
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Re: Accreditation, Innovation, and Modernization: The Secretary's Recognition of Accrediting Agencies, 91 Fed. Reg. 53,940–54,021 (Aug. 20, 2026); Docket ID ED-2025-OPE-1042; RIN 1840-AD82

Dear Secretary McMahon:

Protect the Public's Trust ("PPT") submits this comment letter in support of the Department's proposed rule, "Accreditation, Innovation, and Modernization: The Secretary's Recognition of Accrediting Agencies." The Notice of Proposed Rulemaking ("NPRM")[1] rightly seeks to reduce regulatory burdens on schools, increase competition among accreditors, and strengthen accountability and transparency in higher education accreditation.

I. Executive Summary

Accreditation touches so many facets of a student's educational experience. It determines whether or not the student can receive federal aid. It determines whether a student can use his or her degree from an institution to get a professional license. And, both of these factors ultimately determine whether a school can remain open. Therefore, it is imperative that accreditors have guardrails to ensure that they are following state and federal law, do not impose an agenda, and are not self-serving.

[1] U.S. Department of Education, "Accreditation, Innovation, and Modernization: The Secretary's Recognition of Accrediting Agencies," 91 Fed. Reg. 53,940–54,021 (Aug. 20, 2026); 20 U.S.C. § 1099b, https://www.federalregister.gov/documents/2026/08/20/2026-17001/accreditation-innovation-and-modernization-the-secretarys-recognition-of-accrediting-agencies. ("NPRM"). These reforms are grounded in the Higher Education Act, which directs the Secretary to recognize accrediting agencies as reliable authorities concerning educational quality and establishes specific requirements governing their recognition.

Executive Order 14279, "Reforming Accreditation to Strengthen Higher Education," provides an important foundation for the Department's proposed rule. It identifies concerns that accreditation has become too costly and restrictive and has not remained sufficiently focused on educational quality and student outcomes. The Executive Order directs the Department to reform accreditation to focus on student outcomes, academic freedom, competition, legal compliance, and reducing unnecessary burdens on institutions and students.[2]

The NPRM puts the EO's directives into action. First, it prevents accreditors from imposing the racially discriminatory goals of diversity, equity, and inclusion (DEI) on educational institutions. It also removes uncertainty by preventing accreditors from relying on unpublished or vague "guidance" during accreditation. It requires accreditation rules to have some nexus to educational value, which prevents schools from having to spend unnecessary money on things like libraries or buildings. It requires accreditors to have independence from policy groups, respects states' rights, respects the beliefs of religious schools, and strengthens enforcement for accreditors that do not follow these rules. PPT supports each of these changes.

The comments and recommendations below both support the NPRM, while also making suggestions that would strengthen the NPRM.

II. The NPRM is Right to Enforce Legal Compliance and Mandate Viewpoint Neutrality, but Should Close a Remaining Loophole

A. PPT strongly backs the Department's proposed §§ 602.16(f), 602.23(h) to make clear that accreditors cannot push institutions to violate anti-discrimination laws, but the NPRM can be improved by further curbing "diversity" initiatives

Proposed § 602.16(f) would expressly require additional accreditation standards to be both lawful and consistent with educational quality or integrity, while proposed § 602.23(h) would establish an express prohibition on agency policies that require institutions or programs to violate Federal or State law, including by requiring unlawful preferences based on race, color, national origin, or sex.[3] However, under the proposed language, "diversity" stated in race-neutral terms can still serve as an end-around. That loophole should be fixed.

The NPRM is good because it is universally applicable, meaning it does not focus specifically on DEI, but rather bans accreditors from requiring any form of discrimination. The relevant question should only be whether an accreditation requirement is lawful, connected to educational quality, and applied neutrally. The Department is right to demand that accreditors may not require or encourage institutions to discriminate on the basis of race, color, national origin, or sex as a condition of

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[2] Executive Order 14279, "Reforming Accreditation to Strengthen Higher Education," 90 Fed. Reg. 17,529 (Apr. 28, 2025), https://www.whitehouse.gov/wp-content/uploads/2025/04/eo-14279.pdf.

[3] NPRM, §§ 602.16(f), 602.23(h).

accreditation, regardless of which group is favored or disfavored. Institutions should not have to choose between satisfying an accreditor and complying with Federal law.

The Supreme Court's decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College* provides an important legal backdrop. The Court held that Harvard and the University of North Carolina's race-conscious admissions programs violated Title VI of the Civil Rights Act and the Equal Protection Clause, respectively. As a result, universities can no longer use race as a factor in admissions. The Department's proposed rule is consistent with this precedent, rightfully making clear that accreditation cannot be used to require or encourage an institution to engage in race-based decision-making that violates federal law.[4]

The need for a durable rule is not theoretical. In August 2026, the Department of Justice ("DOJ") found that George Washington University School of Medicine and Health Sciences intentionally discriminated on the basis of race in admissions, including through essay questions designed to elicit race or ethnicity and the use of that information in interview selection and scoring.[5] This is exactly the type of behavior the NPRM discourages.

One accreditor, the American Bar Association (ABA), provides a timely accreditation-specific example. ABA Accreditation Standard 206 required law schools to take concrete action to promote DEI in legal education. When it suspended (and later repealed) Standard 206, the ABA explained that the Council considered repeal necessary to preserve its recognition by state courts and the Department of Education.[6] The repeal demonstrates that when this Department makes clear that anti-discrimination standards will be enforced, discriminatory policies go away. A clear rule can go a long way.

Because ideological viewpoints like diversity curricula are already widespread in graduate programs, preventing accreditation mandates will not suppress these views. A September 2026 American Enterprise Institute report reviewed syllabi from ten graduate education programs and identified substantial use of readings addressing critical theory, race, gender, social justice, and related subjects, with the report concluding that the programs reflected a broader ideological emphasis on immutable characteristics and activism.[7] By removing accreditation demands related to

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[4] *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181, 207–08 (2023).
[5] U.S. Department of Justice, "Justice Department Finds George Washington University Medical School Discriminates Based on Race," *press release*, Aug. 27, 2026. https://www.justice.gov/opa/pr/justice-department-finds-george-washington-university-medical-school-discriminates-based.
[6] American Bar Association, Council of the Section of Legal Education and Admissions to the Bar, "Law School Accreditation Standard 206 Formally Repealed," September 8, 2026, https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/2026/2026-september-standard-206-decision.pdf.
[7] Daniel Buck, *Pedagogy of the Progressives: A Review of Syllabi from Graduate Schools of Education* (American Enterprise Institute, Sept. 9, 2026). https://www.aei.org/research-products/report/pedagogy-of-the-progressives-a-review-of-syllabi-from-graduate-schools-of-education/.

race or diversity, institutions that wish to have curriculum with differing viewpoints can, and likely will, do so. But not every institution would have to. The end result is more options for students.

The NPRM could be improved upon, however. Sometimes "diversity" can be coded in race-neutral ways. For example, a recent Department of Health and Human Services ("HHS") civil-rights finding involving Duke University School of Medicine further exemplifies this need for clear limits on accreditation standards concerning diversity. It concluded in September 2026 that Duke used race and race-revealing proxies in medical-school admissions in violation of Title VI and section 1557.[8] Duke's M.D. program is accredited by a federally recognized accreditor, Liaison Committee on Medical Education ("LCME").[9] LCME's standards call for "mission-appropriate diversity outcomes" and diversity-oriented recruitment.[10]

Perhaps Duke University was struggling to appease both the law and its accreditor. While LCME claims that its standards do not require or encourage race-based admissions, and that schools can satisfy those diversity requirements while treating applicants equally regardless of race,[11] the formal disclaimer does not eliminate the underlying concern: as with the ABA's diversity requirements, an accreditor may characterize its standards as race-neutral while imposing diversity-related requirements that institutions could reasonably interpret as directing how they must pursue DEI. The Department should require accreditors to state clearly how any "equity" or "inclusive"-related standards must be applied when Federal civil-rights law prohibits discrimination based on race.

B. PPT supports proposed §§ 602.17–.18 to protect the religious missions of religious institutions from aggressive accreditor overreach

The NPRM appropriately protects religious mission, academic freedom, intellectual diversity, and viewpoint neutrality under proposed §§ 602.17 and 602.18. A religious institution cannot preserve its mission if an accreditor can condition accreditation on abandoning lawful mission-based policies, and academic freedom has little practical value if accreditation standards are applied in ways that suppress certain religious viewpoints.

A 2025 accreditation dispute involving St. Thomas University College of Law illustrates the practical importance of these protections. Florida Attorney General James Uthmeier publicly

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[8] Paula M. Stannard, Director of United States Department of Health and Human Services, Office for Civil Rights, "Duke University School of Medicine Letter," September 8, 2026, https://www.hhs.gov/civil-rights/for-providers/compliance-enforcement/examples/limited-english-proficiency/hhs-ocr-duke-medical-school-admission-civil-rights-violation-letter/index.html.

[9] U.S. Department of Education, "Programmatic Accrediting Agencies," https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/college-accreditation/programmatic-accrediting-agencies.

[10] Liaison Committee on Medical Education, "Committee Inquiry to the Liaison Committee on Medical Education," Letter to Committee on Education and Workforce, United States House of Representatives, *Do No Harm*, May 18, 2023, 2–3, https://lcme.org/wp-content/uploads/2023/05/LCME-Response-to-Committee-on-Education-and-the-Workforce.pdf?utm.

[11] Ibid.

challenged an ABA finding that St. Thomas was not compliant with ABA Standard 205(c), which addresses nondiscrimination and equality of opportunity, arguing that the finding implicated the school's policies, which are rooted in the institution's Catholic affiliation and mission.[12] The ABA Council ultimately reversed course, concluding that St. Thomas had demonstrated compliance.[13] But this dispute illustrates that, while accreditation standards should permit rigorous review of educational quality, such review should be narrow with faith-based policies, citing specific educational standards that the accreditor believes the institution violates, not moral standards that can conflict with religious standards.

The Department's NPRM rightly makes clear that accreditors may enforce legitimate standards concerning educational quality, governance, and academic freedom without conditioning accreditation on the abandonment of a lawful religious mission.

C. PPT supports the proposed updates to §§ 602.16–.18 to ensure that all accreditation requirements are clearly published, objective, and confined to academic quality

The principle is straightforward: institutions should know from published accreditation standards what is required of them. Those requirements should be sufficiently objective and related to educational quality to be applied consistently without substituting an accreditor's or affiliated organization's preferences for an institution's academic judgment.[14]

The accreditation of educator-preparation programs provides a useful illustration. While the Council for the Accreditation of Educator Preparation ("CAEP"), a professional accrediting organization for teacher preparation programs, is not currently recognized by the U.S. Secretary of Education, its Board and Accreditation Council are considering seeking such recognition.[15] CAEP's published standards reach beyond traditional measures of academic preparation. For example, Advanced-Level Standard RA-1 requires providers to facilitate candidates' reflection on their personal biases to increase their understanding and practice of DEI.[16] If CAEP were to become a federally recognized accreditor, requirements of this kind should be clearly defined, tied to educational quality, and sufficiently objective to permit institutions to determine in advance both what

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[12] Florida Attorney General James Uthmeier, Letter to Daniel R. Thies, Chairman, ABA Council of the Section of Legal Education and Admissions to the Bar, November 6, 2025, https://www.myfloridalegal.com/sites/default/files/From%20the%20desk%20documents/110625-letter-to-aba.pdf.

[13] American Bar Association, Council of the Section of Legal Education and Admissions to the Bar, "Notice of Law School Demonstrating Compliance with Standards 202 and 205: St. Thomas University College of Law," November 14, 2025, https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/PublicNoticeAnnouncements/2025/2025-nov-st-thomas-u-fl-public-notice-compliance.pdf.

[14] NPRM, §§ 602.17–.18.

[15] Council for the Accreditation of Educator Preparation, *CAEP Accreditation Policy and Procedures* 2025, 10, https://caepnet.org/wp-content/uploads/accreditation-policy-final.pdf.

[16] Council for the Accreditation of Educator Preparation, *CAEP Advanced-Level Standards*, Standard RA.1, accessed September 17, 2026, https://caepnet.org/advanced-standards/.

compliance requires and what the accreditor may not require. This sort of requirement fails on all counts.

The concern extends beyond CAEP's own standards. CAEP's program-review system permits educator-preparation providers to use standards developed by Specialized Professional Associations ("SPAs"), which are separate organizations with a specified career field such as "math teachers" or "social workers." The potential use of SPA standards during reviews to address CAEP accreditation standards is separately problematic, in that, those standards are separate and unidentified.[17] The National Council for the Social Studies, for example, calls for candidates to "advance social justice and promote human rights through informed action" and to serve as advocates for learners, the teaching profession, or social studies.[18] Standards such as this should be identified clearly for member institutions to have awareness and for the Department to review for compliance.

The Association to Advance Collegiate Schools of Business (AACSB) provides an example of why the Department should distinguish published standards from interpretive guidance. AACSB revised its guidance in 2025 after member institutions raised concerns that DEI-related accreditation requirements coming from guidance would create legal-compliance risks, however, the underlying accreditation standards were left unchanged.[19] The Department should require accreditors like AACSB to identify which requirements are mandatory, publish the criteria they use to assess compliance, and ensure that interpretive guidance does not create new obligations.

Accreditation requirements should be clear, published, and tied to the standards institutions are actually expected to meet. The final rule rightly prevents accreditors from expanding those requirements through outside standards, open-ended curricular expectations, or interpretive guidance, and requires them to correct standards that conflict with governing law.

III. PPT Supports Proposed §§600.11, 602.11-.12 Because it Breaks Accreditor Monopolies and Expands Competition, While Preserving State Authority

Reducing barriers to entry and making it easier for institutions to change accreditors would promote competition in accreditation. Competition is not a substitute for quality assurance, but rather supplements it. It can provide an important escape route for institutions suffering from excessive accreditation demands. The Department's NPRM rightly removes unnecessary barriers to new accreditors and opens the door to creating competition for incumbent accreditors.

The urgent need to break these monopolies is highlighted by recent efforts by antitrust interventions. For example, in April 2026, the Federal Trade Commission (FTC) and the DOJ's

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[17] Council for the Accreditation of Educator Preparation, "SPA Program Review Process," accessed September 14, 2026, https://caepnet.org/spa-program-review-process/.

[18] National Council for the Social Studies, *National Standards for the Preparation of Social Studies Teachers*, Standard 5, January 1, 2018, https://www.socialstudies.org/sites/default/files/attach-pdf-2020-05/ncss_teacher_standards_2017-rev9-6-17.pdf.

[19] Association to Advance Collegiate Schools of Business, "Open Letter to AACSB Global Membership: Clarifying Recent Guidance Updates," May 16, 2025. https://www.aacsb.edu/media-center/news/2025/05/open-letter.

Antitrust Division urged the Tennessee Supreme Court to reduce its reliance on the ABA in determining which law schools' graduates may sit for the Tennessee bar examination. The joint submission recommended that graduates of non-ABA-accredited law schools should have additional pathways to qualify for admission.[20] When the federal government's own antitrust watchdogs are actively warning states about accreditor overreach, it shows that the Department's NPRM efforts are on the right track.

Other states are moving in the same direction. Florida amended its rules in January 2026 to end its dependence on the ABA as the sole accrediting agency and to allow law schools to qualify as accredited law schools.[21] Texas likewise ended its exclusive use of ABA accreditation: its Supreme Court stated that loss of ABA accreditation alone would not remove a school from the State's approved list and that the Court would develop a process for considering schools not accredited by the ABA.[22] Ohio has gone further by directing steps toward a state-administered accreditation process and proposing a pathway for graduates of non-ABA-accredited schools to sit for the Ohio Bar.[23]

By giving schools options, no one single accreditor can serve as a de facto gatekeeper. When an accreditor's demands become excessive or poorly tailored, competition gives institutions the ability to go to a fairer accreditor. It also helps students, because their professional future is not determined by an accreditor's demands. The NPRM rightly paves the way for choice, while also restoring authority to the states.

IV. The NPRM Rightly Prioritizes Student Outcomes and Affordability Over Ideology

A. PPT supports proposed §§ 602.16(a)(1)(i), 602.17(a)(1) because these changes support positive student outcomes

Student achievement rightly belongs at the center of accreditation. Accordingly, accreditation requirements affecting admissions, curriculum, faculty practices, or other institutional decisions should be tied to student achievement. Accreditors should evaluate whether students are prepared to succeed, not require particular practices or demographic outcomes that may come at the expense of student success. By tethering accreditation demands to evidence that the demand leads to student

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[20] Federal Trade Commission, "FTC Staff Comment Before the Supreme Court of Tennessee Concerning Potential Regulatory Reforms to Increase Access to Quality Legal Representation," April 30, 2026, https://www.ftc.gov/legal-library/browse/advocacy-filings/ftc-staff-comment-supreme-court-tennessee-concerning-potential-regulatory-reforms-increase-access.

[21] *In re Amendments to Rules Regulating the Florida Bar and Rules of the Supreme Court Relating to Admissions to the Bar*, No. SC2025-2064 (Fla. Jan. 15, 2026). https://flcourts-media.flcourts.gov/content/download/2483731/opinion/Opinion_SC2025-2064.pdf.

[22] *Final Approval of Amendments to Rule 1 of the Rules Governing Admission to the Bar*, Misc. Dkt. No. 26-9002 (Tex. Jan. 6, 2026), https://www.txcourts.gov/media/1461882/269002.pdf.

[23] Staff Report, "Supreme Court Forges New Pathway for Legal Education in Ohio," *Court News Ohio*, May 28, 2026, https://www.courtnewsohio.gov/happening/2026/LegalEducation_052826.asp.

success, and by using metrics like retention or graduation rates that are also tied to student success, the NPRM rightly steers accreditation demands in a proper direction.

An incident involving George Mason University's law school provides a particularly important example. In 2004, the ABA required the university president and law-school dean to appear and show cause why the school should not be placed on probation or removed from the list of approved law schools if the school could not present a reliable plan for complying with the ABA's diversity standard.[24] Its Dean, Daniel Polsby, later stated that "We admit virtually every African-American applicant whose academic record is anywhere near the level normally required for admission to George Mason. This policy entails a substantial lowering of our normal admission requirements." After the law school implemented a program to admit more under-represented minority students, 45 percent of African-American law students experienced academic failure, compared with 4 percent of students of other races.[25] This demonstrates that diversity requirements and student outcomes can be at odds with one another. Accreditation should not force that issue to the point of harming student outcomes.

When accreditation places substantial pressure on an institution, it may alter its practices in ways that have detrimental consequences for student outcomes. Accreditation should therefore remain focused on student achievement rather than ideological or social outcome-oriented goals.

B. PPT supports proposed §§ 602.15(c), 602.17(a)(3)) because it requires accreditors to establish that their demands have educational value before universities—and families—pay, but suggests strengthening the requirement for the final rule.

The NPRM seeks to reduce unnecessary accreditation costs and administrative burdens under proposed §§ 602.15(c) and 602.17(a)(3). The final rule should take that principle, and add teeth. Accreditors should avoid materially burdensome requirements when a less demanding approach would achieve the same objective. While not every demand requires a full case study, each demand should have a proportional evaluation to determine its nexus to educational quality, student protection, legal compliance, or other legitimate accreditation purposes, and accreditors should have to provide proof for material standards.

Accreditation causes a number of costs, including administrative, consulting, compliance, and transition costs. These costs can divert resources from students even when they do not appear in tuition. Accordingly, the Department should also consider whether an accreditation requirement

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[24] U.S. Commission on Civil Rights, *Affirmative Action in American Law Schools* (2007), 184–88. https://www.govinfo.gov/content/pkg/GOVPUB-CR-PURL-LPS103519/pdf/GOVPUB-CR-PURL-LPS103519.pdf.
[25] *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, Brief of Gail Heriot & Peter N. Kirsanow as Amici Curiae Supporting Petitioner, No. 20-1199 (U.S. 2022), 26–27, https://www.supremecourt.gov/DocketPDF/20/20-1199/222820/20220509141059132_20-1199%2021-707%20Amicus%20Brief.pdf.

imposes costs—whether financial or opportunity—on students without a clear connection to student learning or educational outcomes.

The AACSB example discussed earlier illustrates the potential costs of accreditation. AACSB acknowledges that schools seeking accreditation may incur costs to align with its standards, including hiring faculty and professional staff and implementing systems and processes.[26] A peer-reviewed study comparing otherwise similar faculty found that faculty at AACSB-accredited business schools were paid more, published more, and taught less than their counterparts at non-accredited schools.[27] Accreditors should consider whether costly requirements produce commensurate educational benefits and if less burdensome alternatives could achieve the same objectives.

V. PPT supports proposed § 602.14 because structural independence from affiliated membership groups must be demonstrated in practice, not just on paper

Many organizations, such as the ABA, have an ideological component to their mission. Accordingly, those organizations should not participate in accreditation unless the accreditor is materially separated from its affiliate. Proposed § 602.14 creates administrative and fiscal criteria to prove that the accreditor is fully separate and independent from these associated organizations. It is a step in the correct direction.

For example, the Department's current review of the ABA's accrediting agency, the Council of the Section of Legal Education and Admissions to the Bar ("Council"), provides an example of the problems addressed by proposed § 602.14. The Department concluded that the Council had not demonstrated that it is "separate and independent" from an affiliated professional or membership organization, the ABA itself. Department staff identified issues, including the absence of final approved bylaws establishing separation, the ABA lobby still controlling who is elected to the Council's board, and the Council actively implementing general ABA preferences.[28] In short, there is too much overlap between the accreditor and the affiliate. This is particularly dangerous with organizations such as the ABA, which have a track record of ideologically motivated initiatives, both on the accreditation side and in the affiliated organization's activities.

The ABA review demonstrates why structural independence must be demonstrated in practice *and* on paper. The final rule should require accreditors to demonstrate continuing compliance through

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[26] Association to Advance Collegiate Schools of Business, "Accreditation FAQs," accessed September 7, 2026. https://www.aacsb.edu/educators/accreditation/faqs.

[27] David W. Hedrick et al., "The Effects of AACSB Accreditation on Faculty Salaries and Productivity," *Journal of Education for Business* 85, no. 5 (2010): 284–91, https://doi.org/10.1080/08832320903449543.

[28] U.S. Department of Education, *Staff Report to the Senior Department Official on Recognition Compliance Issues*, American Bar Association, Council of the Section of Legal Education and Admissions to the Bar, Aug. 21, 2026, 1, 7–10, https://www.insidehighered.com/sites/default/files/2026-08/ABA_FinalStaffReport.pdf.

things like governing documents, appointment and removal processes, standard-setting and decision-making procedures, financial arrangements, and, most importantly, actual practices.

VI. PPT supports proposed §§602.23 and 602.33 because, by identifying repeated patterns, the Department can investigate rogue actors

When the same types of student, faculty, or public complaints recur, the issue may be more than an isolated mistake. It may point to a systemic problem.

While it is true that the institution may be at fault, given what has been discussed above, it is equally plausible that the accreditor's standards, procedures, or forced decision-making are creating the problem.

Proposed § 602.23 requires accrediting agencies to review complaints, including complaints concerning conflicts of interest, and to document the complaints and resulting actions. Proposed § 602.33 would allow Department staff to review a recognized accreditor when credible information raises concerns about it. This rule would—if combined with the rest of the NPRM—give the Department another tool in identifying bad accreditors.

VII. Conclusion

The Department has proposed a sound reorientation of higher education accreditation. The NPRM would reduce barriers to competition and innovation. It would require accreditors to operate lawfully, independently, transparently, and with greater attention to student outcomes. PPT supports that direction because it brings accreditation closer to its proper purpose: assuring educational quality and protecting students.

PPT therefore urges the Department to finalize the NPRM while incorporating the targeted refinements described above. PPT recommends that the Department retain the NPRM's core structure and make the following minor refinements to the final rule:

1. **Lawful, nondiscriminatory accreditation**. Ensure the final rule makes the NPRM's prohibition on accreditation standards that require or encourage violations of Federal or State law clear, uniform, and enforceable, including when an otherwise facially neutral requirement operates as a race-, color-, national-origin-, or sex-based preference or adverse treatment.
2. **Religious mission and academic freedom**. Ensure the final rule retains and enforces the NPRM's protections for religious mission, academic freedom, intellectual diversity, and viewpoint neutrality.
3. **Published standards and reasoned application**. Ensure that all material accreditation demands are grounded in published, objective criteria, ensuring that vague interpretive guidance, handbooks, or standards created by outside associations cannot be used to invent hidden obligations.

4. **Competition and State authority**. Ensure that the final rule retains the NPRM's competition reforms that allow schools to choose alternative accreditors, if necessary, and clarify that Federal recognition of an accreditor does not displace lawful State authority over professional licensure, bar admission, or institutional governance.
5. **Student-centered accreditation and proportionality**. Ensure that accreditation requirements be reasonably related to educational quality, student achievement, student protection, legal compliance, or another legitimate accreditation purpose and that material burdens are proportionate and have a nexus to legitimate student benefits.
6. **Genuine accreditor independence**. Ensure structural independence between accreditors and affiliate organizations through conflict-of-interest demands, including conflicts that occur in practice, not just on paper.
7. **Systemic accountability and transparency**. Leverage the final rule's complaint, disclosure, and recognition-review mechanisms to ensure that any recurring pattern of arbitrary enforcement or civil rights violations is identified and federal reviews are performed.

Respectfully submitted by,

Protect the Public's Trust