



Academic Senate

COMMITTEE ON ACADEMIC FREEDOM

September 4, 2026

To: Ken Barish, Chair
Riverside Division Academic Senate

From: Andrew Ridgwell, Chair
Committee on Academic Freedom

Re: Request for Comment on Proposed Accreditation Regulations

The Committee on Academic Freedom (CAF) reviewed the proposed revisions to the Federal Accreditation Regulations by email. The Committee could not conduct a full review of the proposal due to the short time frame given for review outside of an academic quarter.

Three members responded with the following feedback:

1. Lack of details and specifics in the proposed policy changes precludes necessary oversight. The proposed rule changes are too vague in many places to be adequately reviewed or workable in practice. For instance, on Page 53956: *"We propose to require a recognized accrediting agency to establish a policy that is designed to support, promote, and appropriately prioritize intellectual diversity and the free exchange of ideas amongst faculty, to include elements that address intellectual inquiry and student learning, and measures student and faculty perceptions on the range of viewpoints and perspectives offered by the institution or program ..."* What constitutes 'appropriate prioritization' of 'intellectual diversity'? How will this 'prioritization' be implemented? How will 'intellectual inquiry and student learning' be 'addressed'? How will 'student and faculty perceptions' be 'measured'?

Instead, a wording such as this would be simpler and more workable: *"We propose to require a recognized accrediting agency to establish a policy that is designed to support and promote the free exchange of ideas amongst faculty"*.

The lack of specifics is particularly troublesome in that potentially critical details will apparently be added later, meaning that this information is not subject to (the current) open review and comment processes. Specifically, we note: "The Department proposes adding more details to an agency's required accreditation requirements with regard to educational objectives, student success, faculty performance and evaluation, facilities, academic freedom, and intellectual diversity." (Page 53993)

(Also see (Page 53946) – *"The Department discusses substantive issues under the sections of the proposed regulations to which they pertain. Generally, we do not address proposed regulatory provisions that are technical or otherwise minor in effect. The Department may to release subregulatory guidance as a compliment to the regulations because E.O. 14279 requires that the Department "update the Accreditation Handbook to ensure that the accreditor recognition and*

reauthorization process is transparent, efficient, and not unduly burdensome.’’ The Department may provide subregulatory guidance in the Accreditation Handbook on areas like student engagement, site visits, complaint processes, faculty structure and evaluation. We also intend to clarify terminology such as peer review and evaluation teams in the Accreditation Handbook as well.’’)

Proposed changes to the regulations and definitions of key terminology, must be available in their entirety. The current presentation of incomplete and insufficiently described rule changes renders fully informed and critical review, and meaningful comment, impossible.

2. Proposed policy changes undermine, not strengthen, meritocracy and academic freedom

Of greater concern is whether the rule changes are intended to provide a mechanism (institution accreditation) to force specific changes in faculty hiring. On Page 54008 (our emphasis), institutions are to be evaluated on whether they maintain “(viii) A policy that is designed to support, promote, and appropriately prioritize intellectual diversity and the free exchange of ideas amongst faculty, to include elements that address intellectual inquiry and student learning, and measures student and faculty perceptions on the range of viewpoints and perspectives offered by the institution or program ...”. If hiring policies are changed in order to meet the accreditation expectation to ‘*appropriately prioritize intellectual diversity*’ (also Page 53956) then hiring would be no longer purely merit-based. Furthermore, on Page 53946 (our emphasis): “*The Department may provide subregulatory guidance in the Accreditation Handbook on areas like student engagement, site visits, complaint processes, faculty structure and evaluation*’. Then on Page 53958, in offering a definition of ‘Academic Freedom’: “*Nothing in this definition shall be construed to prohibit institutions or accrediting agencies from adopting and enforcing policies reasonably designed to promote intellectual diversity ...*”.

Taken together, the intention appears to be that future guidance will require some sort of viewpoint quota amongst faculty based on the as yet to be defined ‘evaluation’ process. Irrespective of the attempt to define ‘Academic Freedom’ so as to allow for imposed viewpoints and hiring, it is clearly counter to any other reasonable definition. Academic Freedom is greater than the individual and encompasses the institution as a whole. It is the freedom of the faculty as a whole to pursue the best research and education for the institution that is most infringed by enforced changes to ‘*faculty structure*’.

We propose that amendments to the rule changes should reinforce, not undermine, the agency and freedom of institutions to conduct merit-based hiring. In the context of the proposed rule change on 54008, institutions should maintain “(viii) *A policy that is designed to support and promote the free exchange of ideas amongst faculty ...*” (remove ‘*appropriately prioritize intellectual diversity*’).

3. Proposed policy changes undermine ‘Gold standard’ peer review

We strongly object to the proposed removal of the requirement for ‘peer review’. We believe this would actively undermine and erode the Administrations ambition for ‘Gold standard’ in academia and be detrimental to academic freedom.

On page 53948: “*The Department proposes to remove the requirement for peer review from the definition of an “accrediting agency or agency” based on a recommendation from several negotiators. During negotiated rulemaking, non-Federal negotiators argued that accrediting agencies may wish to include professionals and experts on site visit teams who do not directly fit within the strictest meanings implied by the word “peer” or “peer reviewers.” The negotiators*

requested, in order to ensure flexibility for agencies and facilitate quality site reviews, for the Department to eliminate the reference to peer reviews. ... We concur with the negotiators in their arguments that subject matter expertise does exist outside of the peer review process; other individuals or groups may have similar, if not more, subject matter expertise that allows them to be an effective evaluator of the quality of an institution or program.”

And Page 53947: *“The proposed regulations amend the definition of an ‘accrediting agency or agency’ to remove the stipulation that accrediting activities must be conducted through peer review.”*

Familiarity with ‘subject matter’ may well lie outside of our ‘peers’, but that does not ensure that ‘*individuals or groups*’ will follow good science and practice and in a way that does not infringe on academic freedom. For instance, would a pod caster who created episodes on the dangers of GM crops and interviewed activists, be an appropriate reviewer for the balance of material in an agricultural program? In such an example the podcaster would have familiarity with the subject matter, but not so much with the scientific process or reviewing, nor formal pedogeological training. Subject matter expertise is a necessary, but clearly insufficient requirement, for effective evaluation.

The rule changes opens the door to poorer scientific and educational outcomes, not better ones, and that the requirement for ‘peer review’ must be retained.