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September 24, 2008

**Memo to: Chancellors, Superintendents, Presidents, and Accreditation  
Liaison Officers, Chief Instructional Officers**

**From: Barbara Beno, President**

**Subject: New Distance Education Requirements of the Higher  
Education Act of 2008 Require Immediate Implementation**

The Higher Education Act has been signed into law. It contains several changes to accreditation requirements, and accreditors are required to implement these changes immediately. Many of the Commission's current policies and practices are already in alignment with the new law.

One area of concern involves changes to the requirements about distance education. This change requires institutions to authenticate the identity of distance education students submitting work toward course and program completion, as described below.

The legislation requires accrediting agencies that accredit institutions offering distance education "to have processes through which the institution establishes that the student who registers in a distance education course or program is the same student who participates in and completes the program and receives the academic credit."

The US Department of Education's negotiated rulemaking sessions planned for 2009 may help further clarify what the Department of Education will require of accreditors. However, a meeting with Department representatives in Washington on September 11, 2008 confirmed that accreditors are required to implement the new requirement even before negotiated rules are developed and published. Such negotiated rules would normally define what is meant by the law.

Frankly, the higher education community does not have much experience yet in providing quality assurance for such student authentication. The regional accreditors will be working together to develop, where possible, a common approach to their own strategies and means for enforcing this requirement during evaluations of institutions. Those strategies and means will likely include an accreditor policy statement or guidelines for institutions.

One source of information on best practice will be the Western Cooperative for Educational Telecommunications (WCET), a division of the Western Interstate Cooperative for Higher Education. I will be attending the WCET annual conference this November and will share with member institutions any resources or information that I gain from that meeting. There may also be vendors who have suggestions for how an institution can meet this new requirement. The Commission will also be asking member institutions what strategies they currently use to authenticate the identity of distance education students. The Commission hopes to have useful guidelines to institutions by next summer.

**This memo serves to notify your institution that by the time of the 2010 comprehensive evaluations, if not before, the Commission will require your institution to demonstrate that it has practices that meet the requirements of the law.** The Commission urges your institution to begin work to develop the capacity to authenticate the identity of distance education students.

All of the changes to the accreditation portion of the law can be found on the President's Desk of the Commission's web page at [http://www.accjc.org/president\\_desk.htm](http://www.accjc.org/president_desk.htm).

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