

HIGHER EDUCATION INFORMATION MEMO

APRIL 28, 2025

Recent Trump Executive Order Threatens Accreditation: Implications for Higher Education Institutions

On April 23, 2025, President Trump issued an Executive Order, “Reforming Accreditation to Strengthen Higher Education.” This Executive Order would require agencies that currently accredit colleges and universities to overhaul their missions, their processes, and their areas of focus in order to meet the requirements of this most recent Executive Order. It would also provide for the creation of new accrediting organizations that would compete with them.

For decades, the federal government has relied upon certain private associations to determine whether colleges and universities that participate in the federal government’s Title IV student financial aid programs—and that includes virtually every institution of higher education in the United States—meet certain standards of quality. The Higher Education Act,¹ a federal law, provides that certain accreditation agencies may be relied upon to certify that a college or university is approved to participate in the federal student assistance program, and that its students who qualify may receive federal grants or loans. The law requires the Secretary of Education to publish a list of approved accrediting agencies. General accrediting associations review an institution as a whole, and are commonly grouped into six individual organizations that evaluate colleges and universities in a particular geographic area. Specialized accrediting agencies typically accredit specific programs at institutions of higher education, such as medical schools, graduate programs in clinical psychology, or law schools. Many states also have accreditation requirements for certain professions that require licensure, such as medicine, nursing, or law. Institutions that do not meet the accrediting agency’s standards may become ineligible for participation in the federal student aid program.

In prior years, both general and specialized accrediting associations have incorporated requirements that institutions promote diversity, equity and inclusion (DEI) in their curriculum and institutional policies. Until recently, institutions that sought accreditation, either for the institution as a whole or for an academic program, were required to comply with the accrediting agency’s DEI standards. That may be about to change.

Summary of the Executive Order²

The Executive Order accuses accreditors of failing to ensure high quality education by routinely approving “low-quality institutions,” resulting in low undergraduate graduation rates, increased student

¹ Higher Education Act of 1965 and its amendments, 20 U.S.C. secs. 11070 et seq.

² The White House, Reforming Accreditation to Strengthen Higher Education (Apr. 2025): https://www.whitehouse.gov/presidential-actions/2025/04/reforming-accreditation-to-strengthen-higher-education/?utm_campaign=10294803-Policy%20Alerts&utm_medium=email&_hsmi=358408225&utm_content=358408225&utm_source=hs_email; See also The White House, Fact Sheet: President Donald J. Trump Reforms Accreditation to Strengthen Higher Education (Apr. 2025): <https://www.whitehouse.gov/fact-sheets/2025/04/fact-sheet-president-donald-j-trump-reforms-accreditation-to-strengthen-higher-education/>.

loan debt, and degrees that have little economic value. It further states that some accreditors have abused their authority and violated nondiscrimination laws by conditioning higher education institutions' access to federal funds on the adoption of "DEI-based standards of accreditation."

In an effort to "[hold] accreditors accountable for unlawful actions," the Executive Order directs the Secretary of Education to monitor, deny, suspend, or terminate the accreditation recognition of accreditors that require institutions seeking accreditation "to engage in unlawful discrimination in accreditation-related activity under the guise of [DEI] initiatives."

The Executive Order further directs the Secretary of Education and the Attorney General to investigate and take action to terminate unlawful discrimination by law schools and medical schools that engage in such practices, advanced by the American Bar Association's Council of the Section of Legal Education and Admissions to the Bar (Council), the sole federally recognized accreditor for law degree programs, and the Liaison Committee on Medical Education (Committee), the sole federally recognized accreditor of Doctor of Medicine degree programs. Following the investigation, the Secretary of Education must determine whether to suspend or terminate the Council's and Committee's federal accreditation status.

The Executive Order sets forth the following principles that the Secretary of Education must assess in evaluating accreditors:

- (i) Higher education institutions must provide high quality, high value academic programs free from unlawful discrimination;
- (ii) Barriers are reduced that limit institutions from adopting practices that advance credential and degree completion and encourage new models of education;
- (iii) Accreditors must ensure that institutions support and prioritize intellectual diversity among faculty to advance academic freedom, intellectual inquiry, and student learning;
- (iv) Accreditors cannot use their roles under Federal Law to force institutions to violate State laws unless those laws violate the Constitution or Federal law; and
- (v) Accreditors cannot engage in practices that lead to credential inflation and unnecessary additional costs for students.

To advance the stated principles, the Secretary of Education is tasked with:

- (i) Recognizing new accreditors to increase competition and accountability "in promoting high-quality, high-value academic programs focused on student outcomes;"
- (ii) Mandating that institutions use program-level student outcome data that improves results, without reference to race, ethnicity, or sex;
- (iii) Providing accreditors with noncompliance findings from investigations of member institutions by the Office for Civil Rights under Title VI or Title IX;
- (iv) Launching an experimental site to accelerate innovation and improve accountability "by establishing new flexible and streamlined quality assurance pathways for higher education institutions that provide high-quality, high-value academic programs;"³

³ The Higher Education Act provides that "The Secretary is authorized to select institutions for voluntary participation in a Quality Assurance Program that provides participating institutions with an alternative management approach through which individual schools develop and

- (v) Enhancing the accreditor recognition review process using technology;
- (vi) Streamlining the process for institutions to change accreditors; and
- (vii) Updating the accreditation handbook to ensure that the reauthorization and recognition process is transparent and efficient.

Implications of the Executive Order for Institutions of Higher Education

Colleges and universities typically undergo review by either institutional or special accrediting bodies (or both) periodically, and preparation for reaccreditation campus visits may take years. Should those accrediting agencies be replaced with other agencies with different agendas and new requirements, these changes could require alterations in the programs offered by the college, its emphasis on and resources devoted to student persistence and graduation rates, and its focus on enhancing diversity and inclusion. For example, the Executive Order has already identified several specialized accrediting agencies that it states have maintained their emphasis on DEI, which the Trump Administration maintains is unlawful discrimination. It seems likely that a result of the Executive Order will be the creation of new accrediting agencies with agendas that differ from those of the traditional focus of the general accrediting agencies; it is also possible that some of the general agencies will be derecognized, resulting in the potential loss of Title IV funds by colleges they have accredited unless the college finds a new accreditor and is able to comply with its requirements promptly. Colleges will need to monitor the status of their traditional accreditors and be flexible in identifying and complying with new standards. Given the Executive Order's focus on the return on investment of the college's academic programs and its emphasis on raising institutions' graduation rates, shifts in an institution's curricular priorities may be considered necessary in order to meet new accreditation standards.

At this very early point, it is unclear how much change this new Executive Order will require institutions of higher education to make, or whether some will lose access to Title IV student aid funds, which would have a devastating effect on many institutions and their students. Bond attorneys are watching these developments closely and will continue to provide advice as the implications of this Executive Order become more clear.

If you have any questions about the information contained in this memo, please contact [Barbara A. Lee](#), [Kymberley Walcott-Aggrey](#), or the attorney at Bond with whom you are regularly in contact.

implement their own comprehensive systems, related to processing and disbursement of student financial aid, verification of student financial aid application data, and entrance and exit interviews, thereby enhancing program integrity within the student aid delivery system. 20 U.S.C. 1094a(b)

