



January 26, 2026

Submitted via Regulations.gov

David Barker  
Assistant Secretary  
Office of Postsecondary Education  
U.S Department of Education  
400 Maryland Ave SW  
Washington, DC 20202

***RE: ED-2025-OPE-1009; Request for Information; Updates to the Accreditation Handbook***

Dear Mr. Barker:

On behalf of the more than 3 million members of the National Education Association (NEA), we submit the following response to the Department of Education’s request for information on potential updates to the Accreditation Handbook published in the Federal Register on December 11, 2025. Specifically, we hope to provide additional information regarding the question: *How could accreditation standards be updated to incentivize intellectual diversity on campus? What guidance or standards, if any, can the Handbook provide to institutions and programs to help achieve this goal?*

For this country to work for all of us, everyone must be seen and respected. Silencing educators and students, and depriving them of the freedom to teach and learn the truth, undermine that goal. Intellectual diversity cannot be advanced through censorship, political interference, or restrictions on lawful teaching, research, and data collection. Any effort to incentivize intellectual diversity through accreditation must begin with a clear commitment to academic freedom, institutional autonomy, and evidence-based educational practice.

***Intellectual Diversity and Academic Freedom***

True intellectual diversity flourishes when faculty and students are free to teach, learn, research, and debate without fear of political retaliation or ideological litmus tests. Accreditation standards should therefore affirm, not undermine, the longstanding principle that higher education institutions and their faculty, not the federal government, determine curriculum, pedagogy, and scholarly inquiry.

Redefining intellectual diversity in ways that prohibit discussion of race, equity, or the issues related to the LGBTQ+ community, or punishing institutions for engaging in lawful diversity, equity, and inclusion (DEI)-related work, are incompatible with this principle. Such approaches do not expand

intellectual diversity; they narrow it by excluding entire areas of inquiry and lived experience from the academic conversation. This administration has broadened the definition of unlawful discrimination well beyond its historical purpose of protecting the rights of underrepresented groups and encouraging inclusion of those who have faced past discrimination. Threatening institutions or accreditors with the loss of recognition based on vague or incoherent claims of “unlawful discrimination” chills protected speech and undermines the free exchange of ideals essential to higher education.

### ***The Role of Data and Educational Equity***

Intellectual diversity is also strengthened, not threatened, by rigorous analysis of student outcomes. The use of disaggregated data by race, ethnicity, sex, and disability status has long been recognized as a best practice in accreditation. This data has been essential in identifying and dismantling barriers that historically excluded Black and Brown students and students with disabilities from access to success in higher education.

Directing accreditors or institutions to strip references to race, ethnicity, or sex from outcome assessments directly contradicts long-established accreditation practices. Most current accreditors permit, and many require, institutions to demonstrate compliance with performance standards by tracking disaggregated data and explaining how they seek to improve outcomes for groups that perform below average. These practices promote accountability, institutional self-reflection, and continuous improvement, all of which are core components of intellectual vitality.

### ***Appropriate Guidance for the Accreditation Handbook***

Rather than imposing ideological constraints or politicized definitions of intellectual diversity, the Accreditation Handbook can more appropriately support this goal by:

- Reaffirming accreditor independence and the peer-review-based nature of accreditation;
- Emphasizing and protecting academic freedom and free inquiry as foundational conditions for intellectual diversity;
- Encouraging institutions to demonstrate how they foster open dialogue, critical thinking, and exposure to diverse scholarly perspectives through lawful, mission-aligned practices;
- Affirming the legitimacy of using disaggregated student outcome data to evaluate education effectiveness and equity; and
- Avoiding vague or politically charged standards, such as undefined claims of “unlawful discrimination,” that chill speech and invite arbitrary enforcement.

### ***Conclusion***

No handbook revision can alter existing statutes or constitutional practices that safeguard academic freedom and institutional autonomy. Intellectual diversity cannot be mandated through censorship,

data suppression, or threats to accreditation. It emerges when institutions are empowered to pursue truth, confront inequity, and engage students in honest, evidence-based inquiry.

The NEA respectfully submits these comments for consideration. **We urge the Department to ensure that any updates to the Accreditation Handbook strengthen, rather than compromise, the conditions under which intellectual diversity genuinely thrive.** Please do not hesitate to contact me or Bianca Singh at [BSingh@nea.org](mailto:BSingh@nea.org), should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Daaiyah Bilal-Threats" with a long horizontal flourish extending to the right.

Daaiyah Bilal-Threats  
Senior Director, Education Policy and Implementation Center  
National Education Association