



2026–27 BOARD OF DIRECTORS

Cherae M. Farmer-Dixon, D.D.S., M.S.P.H.
Chair of the Board

Herminio L. Perez, D.M.D., M.B.A., Ed.D.
Chair-elect of the Board

Todd V. Ester, D.D.S., M.A.
Immediate Past Chair of the Board

Mert N. Aksu, D.D.S., J.D.,
M.H.S.A., Cert DPH
Board Director for Deans

Justin Bower, M.B.A.
Board Director for the Corporate Council

Erin Gross, D.D.S., M.S., Ph.D.
Board Director for Faculties

Marion Manski, M.S., RDH
Board Director for Allied
Dental Program Directors

Thikriat Al-Jewair, D.D.S.,
M.B.A., M.Sc., M.S., FRCD(C)
Board Director for
Advanced Education Programs

Matthew Mara, D.M.D., Ed.D.
Board Director for Sections

Alexis Distefano
Board Director for Students,
Residents and Fellows

Karen P. West, D.M.D., M.P.H.
President and CEO

The mission of ADEA is to develop
an inclusive, future-ready oral health
workforce prepared to improve the health
of all people and communities through
leadership, education and collaboration.

555 12th Street, NW, Suite 450
Washington, DC 20004
Phone: 202.289.7201
Fax: 202.289.7204
adea.org

September 21, 2026

Submitted via Regulations.gov

The Honorable Nicholas Kent
Under Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

**RE: Docket ID ED-2025-OPE-1042; Accreditation, Innovation and Modernization:
The Secretary's Recognition of Accrediting Agencies: Institutional Eligibility
Under the Higher Education Act of 1965, as Amended, Student Assistance
General Provisions**

Dear Under Secretary Kent,

The American Dental Education Association submits the following comments on the U.S. Department of Education's (Department's) Accreditation, Innovation and Modernization (AIM) Notice of Proposed Rulemaking (NPRM). We appreciate the Department's important goals of innovation and modernization in accreditation, and we support appropriate regulatory changes to implement those goals. We write to suggest changes and strategies to help ensure that the important role of educators in accreditation, specifically in programmatic (specialized and professional) accreditation, is not inadvertently impeded by these regulatory changes. In furtherance of its goals of innovation and modernization, we also encourage the Department to allow flexibility for the regulations to reflect and account for the important differences between types of accreditors. Below, our comments incorporate suggestions to that effect, and to better fulfill the goal of "provid[ing] accrediting agencies with the flexibility necessary to adopt policies and procedures that encourage innovation." 91 FR 53954.

**602.15(a)(2) – Competent and knowledgeable individuals, qualified by
education or experience in their own right, as appropriate for their roles;**

We greatly appreciate the Department's commitment to ensuring that accreditation agencies continue to include "competent and knowledgeable individuals, qualified by education or experience in their own right, as appropriate for their roles." We cannot overstate the importance of including individuals with specific expertise in academia and the profession in accreditation processes. Our comments on the sections that follow are informed by the importance of this principle.

**602.15(e)(2) – Ensure that members of the standards-setting body, which may
include members of the decision-making body, do not vote as members of the
decision-making body on the setting of standards or policies that affect any**

institution or program of which such a member is an officer, director, or employee;

We appreciate the desire for additional safeguards in this area. However, preventing members of the decision-making body from voting on the setting of standards or policies that “affect any institution or program of which such a member is an officer, director, or employee,” may entirely prevent important academic community members from participating in the process. Conversely, we understand why individuals should not be involved in decisions about their own institutions, but standards and policies are universally applied to all entities that are accredited. Especially for programmatic (specialized and professional) accreditors, standards and policies are greatly informed by the knowledge of educators and other academic personnel. Programmatic accreditors, in particular, need educators’ and academic faculty’s input because these accreditors’ work is very precise, and the standards being set depend on these individuals’ expertise in the knowledge, skills and competency needed in a particular profession. Also, the broad nature of the proposed 602.15(e)(2) may conflict with proposed 602.15(a)(2) in that it could prevent the individuals best “qualified by education or experience in their own right” from serving in the appropriate roles.

In addition, it is not clear how this provision would help to further the Department’s policy goals. Accrediting agencies are currently required to have appropriate conflict of interest controls, *e.g.*, 34 CFR 602.14(b)(3); 602.15(a)(6). If those controls are in place, individuals with conflicts of interest should already be excluded from decision-making and other processes, as appropriate. While the preamble explained the goal of “increase[ing] the specificity of these [conflict of interest] requirements, in recognition of the influence that agencies, both institutional and programmatic, wield over the institutions and programs that they accredit,” (91 FR 53954) it did not explain how this particular section would further that goal or what specific problem with the current conflict of interest controls it would address. Without that information, it is difficult to suggest alternatives. For example, if there is a specific gap in the current controls that the Department intends to remedy with this provision, there may be a more direct or narrowly tailored solution that would mitigate the negative effects this provision may otherwise cause.

Without further clarity of the specific goal of proposed 602.15(e)(2) and considering the likely consequences, we encourage the Department to remove this proposed paragraph. As an alternative, we encourage the Department to pursue more narrowly tailored solutions to address clear problems and avoid unintended disruption while preserving appropriate flexibility and integrity in accreditation decision-making.

602.15(e)(5) – Ensure that any officers, directors, employees, or volunteers of the agency do not share or solicit feedback regarding the agency's policies, standards, or decisions with respect to any institution or program from any related, associated, or affiliated trade association or professional association;

We agree that decisions with respect to a specific institution or program should be kept appropriately confidential, and therefore, that it can be appropriate to restrict the feedback sought on those individualized decisions. However, we suggest an important revision to this proposed section. It is critical for accrediting agencies to be able to, subject to their own policies and/or procedures, share or solicit feedback on their broadly applicable standards and policies. These policies and standards benefit from the input of the broad community (*e.g.* students, educators, practitioners, licensing community, regulatory bodies, public, etc.) and, in particular, experts in the field, without whom the proposed policies and standards may not reflect the current and future

state of the profession. Especially given the ambiguity in the proposed definition of “related, associated, or affiliated trade association” in proposed section 602.3 (discussed in more detail below), it is important to appropriately tailor the scope of this provision. As written, proposed 602.15(e)(5) may preclude agencies’ ability to consult with appropriate stakeholders. Therefore, we encourage the Department to limit the scope of this provision to agencies’ decisions with respect to institutions and/or programs, *not* policies or standards.

The AIM NPRM highlights the importance of encouraging innovation and reducing burden. However, this proposed provision may cut off an important avenue for achieving exactly those goals. As written, this section may counter the NPRM’s goal of “provid[ing] accrediting agencies with the flexibility necessary to adopt policies and procedures that encourage innovation and minimize unnecessary expenses for institutions, while simultaneously requiring agencies to operate in an open, transparent manner.” (91 FR 53954) Reducing opportunities for feedback and comment from all appropriate parties can stifle transparency and create barriers to innovation, resulting in fewer opportunities for stakeholders to highlight unintended consequences or, in the alternative, opportunities for change. For example, proposed 602.15(c) would require agencies to conduct their accreditation activities in a manner that seeks to avoid “duplicative reporting, excessive documentation requirements, and unwarranted prescriptive processes.” One way such reporting, documentation requirements and processes may come to an accrediting agency’s attention could be through such a comment process. In addition, as in the Department’s public comment process for its regulations, stakeholders with different perspectives contribute important insights to the process, helping to ensure that the resulting policies are well-informed and effective.

Again, conflict of interest controls are important, but this provision appears broader than necessary to ensure such controls are effective. Therefore, we strongly encourage the Department to strike the words “polices, standards, or” from 602.15(e)(5) and limit the scope of this paragraph to individualized decisions with respect to an institution or program.

602.3 – Definition of Related, Associated, or Affiliated Trade Association

While we understand the benefits of defining this term, we strongly encourage the Department to clarify the definition and limit its scope. In particular, the phrases “organized to promote a line of commerce, business, industry, or profession” and “prepare students to enter the workforce of the same or substantially the same line of commerce, business, industry, or profession that organization promotes,” could have different interpretations. As noted above, the lack of clarity in this provision has important implications, creating ambiguity in terms of what role different associations may play in the accreditation ecosystem and the scope of other provisions of the proposed regulations. A broad reading could block important interactions between programmatic accreditors and important members of their professional communities. Also, appropriate conflict of interest policies and procedures provide a safeguard from inappropriate relationships between an accrediting agency and other associations.

In the absence of clarity, this provision may have a chilling effect which, as discussed above, could counter the Department’s important policy goals in this rulemaking. As a result, and to help fulfill the NPRM’s goal of all accrediting agencies being able to “comply with the regulatory requirements in good faith” (91 FR 53948), we encourage the Department to clarify the definition of “related, associated, or affiliated trade association” and limit its scope.

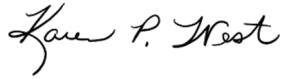
Under Secretary Nicholas Kent

September 21, 2026

Page 4

Thank you for providing the opportunity to comment. If you have any questions or would like to discuss this submission, please contact Ms. Hilary Malawer, Chief Advocacy Officer, at the American Dental Education Association. Ms. Malawer can be reached at MalawerH@adea.org or (202) 238-3983.

Sincerely,

A handwritten signature in cursive script that reads "Karen P. West".

Karen P. West, D.M.D., M.P.H.

President and CEO