



**TEXAS ASSOCIATION of COLLEGIATE REGISTRARS and ADMISSIONS OFFICERS**

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July 1, 2015

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The Honorable Ken Paxton  
Office of the Attorney General  
PO Box 12548  
Austin, TX 78711-2548

Dear Mr. Attorney General,

I write you today on behalf of the Texas Association of Collegiate Registrars and Admissions Officers (TACRAO) concerning an important topic that has been of significant concern to both your office and higher education professionals throughout Texas – the presence and proliferation of the proverbial high school “diploma mills”. In spite of the previous efforts of the Office of the Attorney General to aggressively pursue and restrict the activities of these unscrupulous, yet profitable, enterprises they unfortunately remain rampant throughout Texas and frequently continue their operations as new entities. At any rate, these activities continue to victimize people of all ages who are most vulnerable as well as those who seek an easy pathway beyond their prior academic shortfalls.

At the direction of the TACRAO Executive Committee a task force of highly qualified higher education professionals from within our ranks was assigned to review the current state of affairs and develop recommendations for the TACRAO membership to address these issues with their home institutions. The summary that follows represents the culmination of the task force’s efforts. I present this summary to you on their behalf.

Sincerely,

Charles L. Kettlewell

President

Texas Association of Collegiate Registrars and Admissions Officers

## TACRAO *ad hoc* Committee on High School Diploma Mills

The TACRAO *ad hoc* Committee on High School Diploma Mills was charged to review the issues pertaining to high school diploma mills and develop recommendations for Texas colleges and universities to effectively manage the implications. During this process the committee considered:

- The implications of SB 1521,
- The impact to the Texas Association of Home Schools,
- Prior legal actions taken by the Texas Attorney General,
- Federal financial aid program integrity rules and regulations,
- Legal implications for individual institutions, and
- The development of local policies and procedures for contention.

Participation in this process came from experienced professionals well versed in accreditation, student services, enrollment services, financial aid, student admissions and records, collegiate-high school partnerships, dual credit, and legitimate home schooling. Lacking clear and concise legislative or regulatory guidance, the committee concluded that institutions must individually consider what qualifies a student as a high school graduate and what evidence is acceptable to document bona fide high school completion. Unfortunately, that assessment must occasionally include the advice of institutional legal counsel.

In *Leeper v. Arlington District Court* (September 4, 1987) and the subsequent appeals, the courts ruled that “school-aged children” are exempt from the truancy laws when they receive instruction “under the direction of a parent or parents or one standing in parental authority in or through the child’s home,” with a curriculum that is taught in a bona fide manner. This landmark case set forth an important educational option for families wishing to home school their dependent children. Unfortunately, the framework established to permit this important and well-intended educational option, has provided a guise for many high school diploma mills to operate fraudulently.

Key Definitions: *Webster’s Third New International Dictionary* defines a diploma mill as “An institution of higher education operating without supervision of a state or professional agency and granting diplomas which are either fraudulent or because of the lack of proper standards worthless.” The *Higher Education Opportunity Act* adds that a diploma mill is an entity that:

- Offers, for a fee, degrees, diplomas, or certificates that may be used to represent to the general public that the individual possessing such a degree, diploma, or certificate has completed a program ... of education or training; and
- Requires such individual to complete little or no education or coursework to obtain such degree, diploma, or certificate; and
- Lacks accreditation by an accrediting agency or association that is recognized as an [appropriate] accrediting agency or association.

The Better Business Bureau suggests that educational consumers be wary of considering entities which offer:

- Degrees that can be earned in less time than a duly accredited institution,
- Lists of accrediting agencies that sound overly impressive or not recognized by the U.S. Department of Education,
- Academic credit for lifetime experience,
- Tuition/fees paid on a per-degree basis or discounted for multi-program enrollment,
- Little or no interaction with teaching faculty,
- Program names that may be similar to well-known, reputable institutions, or
- Mailing addresses that are simply box numbers or suites without a physical location.

Further, there must be a more clear delineation between the standards that constitute a reputable high school or legitimate home school curriculum and a high school diploma mill that operates exclusively for commercial gain without academic merit in lieu of a legitimately earned General Equivalency Diploma (GED).

To address this serious and long-term problem TACRAO encourages the Texas Attorney General to issue clear interpretations and guidelines which permit both the Texas institutions of higher education and the public in general to distinguish between legitimate educational entities, appropriate home school programs, and fraudulent operations which are motivated by profit without educational merit. These guidelines should include fundamental components which adequately represent the suitability of the educational institution or home school program. Lastly, the *ad hoc* committee proposes a thorough review process by competent Texas authority to identify entities effectively operating as high school diploma mills and impose appropriate sanctions to cease their fraudulent operations. These sanctions could include centralized posting to the Texas Higher Education Coordinating Board website similar to the "fraudulent or substandard degree" listing (per Chapter 61 of the *Texas Education Code*) - <http://www.theccb.state.tx.us/?objectid=EF4C3C3B-EB44-4381-6673F760B3946FBB>.

To this end, TACRAO is poised to assist the Attorney General as needed to formulate these guidelines and help distinguish legitimate educational institutions and bona fide home schooling, from profit-minded operations without educational substance. Our organization looks forward to hearing your thoughtful response.

Sincerely,



Charles L. Kettlewell  
President

Texas Association of Collegiate Registrars and Admissions Officers (TACRAO)