

**H.R. 4283, THE COLLEGE AC-  
CESS AND OPPORTUNITY ACT:  
DOES ACCREDITATION PRO-  
VIDE STUDENTS AND PAR-  
ENTS ACCOUNTABILITY AND  
QUALITY?**

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**HEARING**

BEFORE THE

SUBCOMMITTEE ON 21ST CENTURY  
COMPETITIVENESS

OF THE

COMMITTEE ON EDUCATION  
AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

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**H.R. 4283, THE COLLEGE ACCESS AND OPPORTUNITY ACT: DOES ACCREDITATION PROVIDE STUDENTS AND PARENTS ACCOUNTABILITY AND QUALITY**

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**Tuesday, June 22, 2004**

**U.S. House of Representatives**

**Subcommittee on 21st Century Competitiveness**

**Committee on Education and the Workforce**

**Washington, DC**

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The Subcommittee met, pursuant to call, at 10:30 a.m., in room 2175, Rayburn House Office Building, Hon. Howard P. "Buck" McKeon [Chairman of the Subcommittee] presiding.

Present: Representatives McKeon, Isakson, Petri, Castle, Ehlers, Osborne, Burns, Kildee, Tierney, Kind, Wu, Holt, McCollum, McCarthy, Van Hollen, Payne and Andrews.

Staff Present: Kevin Frank, Professional Staff Member; Alexa Marrero, Press Secretary; Catharine Meyer, Legislative Assistant; Alison Ream, Professional Staff Member; Deborah L. Samantar, Committee Clerk/Intern Coordinator; Kathleen Smith, Professional Staff Member; Jo-Marie St. Martin, General Counsel; Ricardo Martinez, Minority Legislative Associate/Education; Alex Nock, Minority Legislative Associate/Education; and Joe Novotny, Minority Legislative Assistant/Education.

Chairman MCKEON. A quorum being present, the Subcommittee on 21st Century Competitiveness of the Committee on Education and the Workforce will come to order. We are holding this hearing today to hear testimony on H.R. 4283, the College Access and Opportunity Act: Does Accreditation Provide Parents and Students Accountability and Quality?

Under Committee Rule 12(b), opening statements are limited to the Chairman and Ranking Minority Member of the Committee. Therefore, if other members have statements, they will be included in the hearing record.

With that, I ask unanimous consent for the hearing record to remain open 14 days to allow members' statements and other extraneous material referenced during the hearing to be submitted into the official hearing record. Without objection, so ordered.

**STATEMENT OF HON. HOWARD P. "BUCK" McKEON, CHAIRMAN, SUBCOMMITTEE ON 21st CENTURY COMPETITIVENESS, COMMITTEE ON EDUCATION AND THE WORKFORCE**

Good morning and thank you for joining us for this very important hearing today to hear testimony on accountability in our Nation's higher education system. This is a continuation of a series of hearings that we have held over the last few weeks to examine the provisions of H.R. 4283, the College Access and Opportunity Act, a comprehensive bill to reauthorize the Higher Education Act that aims to expand college access for millions of low- and middle-income students striving for higher education.

I want to start by welcoming our witnesses and thanking them for joining us today.

For decades, our Nation has used the peer reviewed accreditation system to ensure the quality of an institution of higher education. In order to be eligible to participate in student aid programs under the Higher Education Act, postsecondary education institutions must be accredited by a recognized accrediting agency. To be a recognized accrediting agency, the agency must be designated by the Secretary of Education.

There are three kinds of accreditation: regional, national and specialized. Regional and national accreditation are used to assess overall institution quality and are required for the participation in the student aid programs. Specialized accreditation agencies look at specific programs offered by a postsecondary education, such as medical or business programs, and are generally not recognized by the Secretary as they do not provide access to Federal student aid programs for the institution.

As most of our witnesses on the panel can attest, the accreditation system serves as the central component in the Federal Government's effort to hold institutions accountable. It is widely credited as an invaluable tool for measuring institutional quality without undue Federal control and Federal pressure.

At the same time, we also have to recognize that the accreditation system is not perfect. While it may be a uniquely American institution, it is also one that—all too often—perpetrates the status quo on campuses. Even with the additional requirement made in 1998 that accreditors begin to focus on student outcomes, the system and the institutions they accredit could be more effective when it comes to measuring academic quality. This lackluster focus on academic achievement and student learning outcomes has resulted in the fact that more than half of our Nation's students do not graduate in 4 years. Low graduation rates may be compounded by the fact that parents and students lack the necessary information to determine whether a particular college or university is a quality institution or appear to meet the needs of that particular student. As we enter the 21st century, it is our duty and obligation to act to drive improvements to the current system.

Recognizing the importance of accreditation, last month Chairman John Boehner and I introduced H.R. 4283, the College Access and Accountability Act, which strengthens the accreditation system by empowering consumers through sunshine and transparency. The bill also maintains the important link between eligibility for Federal student financial aid and accreditation.

First, the bill gives consumers more information about what they are getting for their money. Currently, institutions of higher education are required to report a significant amount of data to the Federal Government, but the information is not available to students and parents in an easy-to-use and readily available format. The bill will require the Department of Education to use the information already reported by colleges and universities to the Federal Government to create a College Consumer Profile and make this information available to the public in a readable, understandable, consistent and clear format so students and families can make more informed choices in the college marketplace. The bill will also clarify that student academic achievement must be measured against the institution's own desired learning outcomes, not federally established guidelines.

Second, the bill would make accreditation agencies more accountable by making information more public. Under current law, accrediting agencies provide limited information about their activities to the public and only upon request. The bill will make the accreditation process more transparent by giving students, parents and the general public more access to such information, helping to ensure they know what they are getting for their money.

Finally, among other provisions, the bill would make transfer of credit policies public. With recent data showing more than 50 percent of students attend multiple institutions of higher education, it has become increasingly important for students to have the flexibility to transfer their credits from one school to another. To ease the burden of transfer for students and ensure fairness to the process, the bill will simply require institutions to have a transfer of credit policy and make that policy public and follow that policy.

The College Access and Accountability Act also ensures credits are not unfairly and arbitrarily denied based solely on the accreditor of a college or university where the credits being transferred were earned, so long as the accreditor is recognized by the U.S. Secretary of Education.

Since the introduction of H.R. 4283, many of the changes that the Chairman and I would make to the accreditation system in the bill have been criticized by members of the higher education community and have been portrayed as Federalizing higher education. These same groups have argued as a result of this bill that the Federal Government would be responsible for making academic decisions that should remain in the purview of those on college campuses. I am sure you will hear a little bit about that today.

While I certainly respect those in the community who are making such arguments, I wholeheartedly disagree.

I believe it is absolutely critical that institutions of higher education provide better information to parents and students so they can make informed decisions about what college or university will meet their individual needs. Even though institutions are required to report completion, graduation and placement rates to ensure that students are prepared for entry into the workplace, most of this information is not readily available to the public. By creating a College Consumer Profile, focusing on student learning outcomes and requiring accreditors to make some of their reports public, we will ensure that these consumers are able to accurately measure

the academic quality of a postsecondary education; and we do so with no additional reporting requirements.

In addition, I do not believe that Congress should continue to support institutional policies such as blanket denials of transfer credits that are unfair to students. We should stop this practice even though it may upset a few in the traditional higher education community who believe there should be no Federal role on what occurs on college campuses—except when it comes to dramatically increasing Federal student and research aid. The denial of credit transfers inhibits student completion and drives up the cost of postsecondary education to everyone involved by forcing students to take and pay for the same course twice.

It is important to remember that the bill even contains language specifying that institutions retain all rights to deny credits based on the criteria they themselves established. In addition, some in the higher education community are already voluntarily implementing these provisions.

I believe that the American higher education system is the best in the world. But I believe that we can still improve. Over the last few years, other countries have invested heavily in their higher education systems and are catching up to us in the quality of their workforce. We cannot rest on our laurels. By enacting these much-needed provisions, the bill will ensure that our higher education system is strengthened and that accreditors continue to play a key role in providing access to quality higher education for American students.

As Congress continues the process of renewing and reauthorizing the Higher Education Act and builds on efforts to bridge the education divide for America's low- and middle-income students, it is important for us to continue this dialog and continue our work on evaluating ways to improve the accreditation system and build on the academic excellence of students.

Thank you again for joining us here today to discuss this important topic, and we look forward to hearing your testimony.

I now yield to Congressman Kildee for his opening statement.

[The prepared statement of Chairman McKeon follows:]

**Statement of Hon. Howard P. "Buck" McKeon, Chairman, Subcommittee on 21st Century Competitiveness, Committee on Education and the Workforce**

Good morning and thank you for joining us for this very important hearing today to hear testimony on accountability in our nation's higher education system. This is a continuation of the series of hearings that we have held over the last few weeks to examine the provisions of H.R. 4283, the College Access and Opportunity Act, a comprehensive bill to reauthorize the Higher Education Act that aims to expand college access for millions of low and middle-income students striving for a higher education.

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As most of our witnesses on the panel can attest, the accreditation system serves as the central component in the federal government's effort to hold institutions accountable. It is widely credited as an invaluable tool for measuring institutional quality without undue federal control and federal pressure.

At the same time, we also have to recognize that the accreditation system is not perfect. While it may be a "uniquely American institution," it is also one that—all too often—perpetuates the status quo on campuses. Even with the additional requirement made in 1998 that accreditors begin to focus on student outcomes, the system and the institutions they accredit could be more effective when it comes to measuring academic quality. This lackluster focus on academic achievement and student learning outcomes has resulted in the fact that more than half of our nation's students do not graduate in four years. Low graduation rates may be compounded by the fact that parents and students lack the necessary information to determine whether a particular college or university is a quality institution or appear to meet the needs of that particular student.

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Finally, among other provisions, the bill would make transfer of credit policies public. With recent data showing more than 50 percent of students attend multiple institutions of higher education, it has become increasingly important for students to have the flexibility to transfer their credits from one school to another. To ease the burden of transfer for students and ensure fairness to the process, the bill will simply require institutions to have a transfer of credit policy, make that policy public and follow that policy. The College Access and Opportunity Act also ensures credits are not unfairly and arbitrarily denied based solely on the accreditor of a college or university where the credits being transferred were earned, so long as the accreditor is recognized by the U.S. Secretary of Education.

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As Congress continues the process of renewing and reauthorizing the Higher Education Act and builds on efforts to bridge the educational divide for America's low and middle-income students, it is important for us to continue this dialogue and continue our work on evaluating ways to improve the accreditation system and build on the academic excellence of students.

Thank you again for joining us here to discuss this important topic and we look forward to your testimony.

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**STATEMENT OF HON. DALE E. KILDEE, RANKING MEMBER,  
SUBCOMMITTEE ON 21st CENTURY COMPETITIVENESS, COMMITTEE ON EDUCATION AND THE WORKFORCE**

Mr. KILDEE. Thank you, Mr. Chairman. Good morning.

I join my good friend, Chairman McKeon, in welcoming the witnesses before the Committee today.

Mr. Chairman, we have assembled a very distinguished group, both individually and collectively; and I am sure we will benefit a great deal from their testimony.

Accreditation is not a topic that many of us focus on in higher education, but it is something that we touched in 1998 and are now looking at again. This Committee is often occupied over what interest loans will be charged students or how much grant aid will be provided to them and how will it be provided. While these topics generate the headlines, accreditation is a critically important element in ensuring that we have high-quality institutions of higher education.

Strong accreditation agencies that are reasonably transparent in their operation are one of the keys to ensuring integrity and viability among institutions and the students they serve. Without accreditation, we would lose an important element of the governance triad, affecting the operation of institutions of higher education.

The bill recently introduced by Chairmen McKeon and Boehner makes a number of changes in the role that accreditors play. In order for accreditation to be a positive force for improvement in higher education, accreditors need to focus on improving quality at institutions. We should not take away from this focus by requiring accreditors to publicize information on institutions. Instead, this is a more appropriate role I believe for the U.S. Department of Education and State Departments of Education. H.R. 4283 attempts

also to ensure the public has a better understanding of how accreditation works and the results of the accreditation process.

I am interested in hearing more from our witnesses about public disclosure. Overall, I think it benefits us to provide information to the public on how accreditation works and the results of the accreditation process. However, I am mindful about the concerns of institutions that disclosure may lead to unfair comparisons with other schools. The trick here is to find the right balance. We need to work to do so. The overall key to ensuring accreditation remains a positive force in higher education and ensures its independence and integrity of the process. The moment that Congress or the executive branch begins to affect this independence, I believe this integrity will be compromised.

I look forward to continuing our discussions on this matter and yield back the balance of my time to my Chairman and friend, Mr. McKeon.

Chairman MCKEON. Thank you, Mr. Kildee.

We have a very distinguished panel of witnesses, as Mr. Kildee has said; and we are going to introduce them.

First, we have Dr. Thomas Erwin. Dr. Erwin currently serves as Associate Vice President of Academic Affairs for Assessment and Program Evaluation at James Madison University. In this capacity, Dr. Erwin coordinates the assessment of students' learning and development, overseeing the assessment activities of the center, including the collection and analysis and reporting of assessment information for learning and development.

Next, we have Dr. Jerry Martin. Dr. Martin currently serves as Chairman for the American Council of Trustees and Alumni. From 1988 to 1995, Dr. Martin held senior positions at the National Endowment For the Humanities, including Acting Chairman in 1993. Prior to joining the NEH, Dr. Martin served as Chairman of the Philosophy Department at the University of Colorado at Boulder.

Next, we have Dr. James Davis. Dr. Davis has served as President of Shenandoah University in Winchester, Virginia, since 1982. Before joining Shenandoah University, Dr. Davis held numerous faculty and administrative positions at Ferrum College located in Ferrum, Virginia. Dr. Davis has also served as an elected member of the Commission of Colleges of the Southern Association of Colleges and Schools for 6 years.

Then, Dr. Arthur Keiser. Dr. Keiser is the Immediate Past Chairman of the Accrediting Commission of Career Schools and Colleges of Technology, a national accrediting agency whose goal is to maintain educational quality in the career schools and colleges it accredits by striving to ensure academic excellence and ethical practices. Dr. Keiser also serves as Chancellor and CEO of the Keiser Collegiate System.

And, finally, Dr. Steven Crow. Dr. Crow currently serves as Executive Director of the Higher Learning Commission for the North Central Association of Colleges and Schools where he provides leadership to the Commission and its membership of 986 institutions. Previously Dr. Crow served on the Commission's Critical Issues Committee and also served on the Commission's Committee on Organizational Effectiveness and Future Directions.

Before beginning, let me explain the system in front of you. We have a timing system that comes on, a green light when your time begins. When you have a minute left to go, it goes to the yellow and then finally to the red, which means your time is up. And if you haven't finished at that time, would you wrap up.

Your full testimonies will be included in the record, and we would like you to feel free to explain to us what you are here to explain to us today.

Chairman MCKEON. We will begin with Dr. Erwin.

**STATEMENT OF DR. T. DARY ERWIN, ASSOCIATE VICE PRESIDENT OF ACADEMIC AFFAIRS FOR ASSESSMENT AND PROGRAM EVALUATION, JAMES MADISON UNIVERSITY, HARRISONBURG, VIRGINIA**

Dr. ERWIN. Thank you, Mr. Chairman.

James Madison University is a public institution of about 16,000 students in the Commonwealth of Virginia. Our Assessment Center is probably one of the largest campus-based assessment centers devoted to collegiate assessment in the United States.

We focus in three areas. We assess in general education, which is the course work that all students take, regardless of major. We also assess in the major, and we assess out-of-class activities and student affairs. Some of the areas of general education that we measure are information literacy and technology, written communication, oral communication, scientific reasoning and quantitative reasoning. We use the assessment data to improve our curriculum, to improve our degree requirements and to evaluate new instructional delivery approaches, such as maybe a software package.

From the national picture, higher education institutions have been slow and reluctant to systemically measure student learning in general education in a programmatic way. It is a very hard job, and it is threatening the faculty and presidents alike and involves much complexity.

In terms of the State picture, most States have some kind of policy or mandate about assessment in place. These policies vary from Statewide tests such as Georgia's Regents Exam to the majority of institutions where the States allow the institutions to assess in their own way.

As you know, many States have funded their institutions based on head counts or enrollments. But in the past few years States have been experimenting linking quality with funding, sometimes called performance funding and performance budgeting. States have been struggling with doing this because they have been struggling with how to define and measure college quality. Often States will only collect what data are available, which many times are things like outputs, which, as you know, does not necessarily indicate what and how well students have learned at a particular institution.

The current state of assessment practice still makes it improbable to generalize beyond a single institution and in many cases difficult to generalize within a single institution.

From the consumer point of view, as you have noted, the consumers are hungry for information about college quality. Perspective students, their parents, employers, for example, desire infor-

mation about what students acquire from a particular institution and they want to know what the value of the knowledge and skills is. All you have to do is look to the rankings of institutions and see how popular those are. But if you look to see how those are determined, if you use the U.S. News and World Report as an example, they are largely determined by institutional reputation, the amount of resources deployed toward the curriculum, outputs, admissions selectivity and alumni giving rates, nothing about achievement in student learning.

In terms of accrediting organizations, as you are aware, whether they are regional or professional, they are increasingly emphasizing assessment of student learning. In my opinion, the accrediting organization's role has been a very positive influence, helping institutions focus on educational results and not just description of resources, which is the way it was in the past.

In terms of the Federal role, you may consider whether an increased role would be beneficial; and I think it would. The U.S. Department of Education's involvement in K through 12 has been very positive, but there still seems to be a void at the collegiate level when it comes to the assessment of collegiate learning. The issues are so complex and the job is so big that a single State can feel overwhelmed.

Regarding your H.R. 4283, in section 1025, I applaud generally what you have in that section. I would offer one suggestion that you consider that you might add. What you have in the report is you have a review of current practice. What I would suggest that you put in there is ask that Committee to put in some action-oriented steps that would move us beyond where we are today. I am not advocating a particular assessment instrument, nor am I advocating that you dictate what we measure. I use the analogy of the packages on foods, the labels on the sides, the ingredients. Wouldn't it be helpful to know what knowledge, skills and personal characteristics that college graduates possess? Such information would benefit both individuals and society.

So I applaud your Committee for looking at this issue of collegiate outcome assessment, and I hope you can move us beyond the current state of assessment. Thank you.

Chairman MCKEON. Thank you very much.

[The prepared statement of Dr. Erwin follows:]

**Statement of Dr. T. Dary Erwin, Associate Vice President of Academic Affairs, Assessment and Program Evaluation, James Madison University, Harrisonburg, Virginia**

Thank you for the opportunity to discuss college student outcome assessment. As background about my own institution, I started and oversee the Center for Assessment and Research Studies at James Madison University in the Shenandoah Valley of Virginia. James Madison is a publicly supported institution of about 16,000 students.

Our Assessment Center is probably the largest campus based assessment center in the country and has been in operation since 1986. We have nine doctoral level assessment faculty and focus on assessment of general education, the major, and out-of-class activities in student affairs.

Since 1987, we have annually tested all entering freshmen, about 3600 students, just prior to matriculation, and then retest them about two academic years later in general education. The general education areas in which we regularly assess are: technology and information literacy, oral communication, written communication,

critical thinking, arts and humanities, quantitative reasoning, scientific reasoning, government, and wellness.

We utilize several analytical strategies for analyzing these data:

1. competency—in technology, in information literacy and in oral communication—how many students reach a standard?
2. value-added or longitudinal change—in all the other areas of general education listed above—how much do students change or learn in their first two years of college?
3. course impact—compare students in a given area of general education who have not yet complete any courses versus who have had one course versus who have had two or more courses—student should do better on the related outcome measure the greater number of courses completed.

We use the assessment data to improve our curriculum, to improve our degree requirements, and to evaluate the effectiveness of instructional delivery approaches such as a particular instructional software package.

For example, in 1996, we completely reworked our general education program, which is approximately one-third of our undergraduate curriculum, largely because we had mixed assessment results. In the new curriculum, we established policies that every general education course sequence must regularly demonstrate positive student learning for those courses to remain in the curriculum. Each academic department's annual report features their assessment results of their respective major programs and if applicable their part of general education. Each academic department unit lead is evaluated on the viability of their department's assessment efforts.

#### *National Picture*

In general, higher education institutions have been slow and reluctant to systematically measure student learning in a programmatic way. It is a hard job, can be threatening to faculty and presidents alike, and involves much complexity. Faculty, of course, give course examinations, but most institutions do not use common measures particularly in general education across an institution. General education is the coursework that all students take regardless of major. I view general education as the primary focus for accountability purposes because it is the imprint of every graduate of the institution.

According to Gaff of the Association for American Colleges and Universities, over 90% of the colleges and universities deploy the distribution system of general education whereby students select one to three courses from a given distribution area such as social science where many courses are listed. Generally, the more courses listed in a given distribution area for students to choose from, the more difficult it is to have commonalities among all the courses listed. Assessing a given distribution area becomes problematic then when there is little instructional content or skills in common.

The problem of defining and therefore assessing general education is magnified if one goes beyond the institution and tries to develop commonalities among several institutions such as at a state level. Most institutions have not developed measurable, specific learning objectives, sometimes referred to as "content standards" in general education. Common "performance standards" are more rare when an institution sets a single cut-off score on an assessment instrument in any given area of general education.

#### *States*

Most states have some kind of policy or mandate regarding assessment. These policies vary from statewide tests such as Georgia's Regents Exam to the majority of states that allow for institutions to choose their own ways of assessing. Some states such as Virginia designate the areas that are to be assessed: technology, written communication, scientific reasoning, quantitative reasoning, oral communication, and critical thinking.

Too often institutions over utilize self-report surveys as the primary measures of student learning. What students think they learn can be different than what they actually learned.

In the past few years, states have been experimenting with linking "quality" and funding but struggle with defining and measuring quality. Often states collect only what data are available, but these data usually do not include about student learning. For example, outputs such as graduation rates are available, but these do not describe how or what students have learned. I believe many states would benefit from assistance in improving their current policies and procedures.

The current state of assessment practice still makes it improbable to generalize beyond a single institution, and in many cases difficult to generalize within a single institution.

### *Consumers*

As you have noted, the consumer is hungry for information about quality. Prospective students, their parents, and employers desire information about what students acquire from a particular institution and what the value of that knowledge and skills has. For instance, look at the popularity of ranking systems such as the US News and World Report rankings. Unfortunately, those rankings are determined largely by reputation, resources, outputs, admissions selectivity, and alumni giving rates. No comparable student learning data are available for the public to view.

### *Accrediting Organizations*

As you probably know, accrediting organizations, whether regional or professional, are increasingly emphasizing assessment of student learning. Before 1985, few institutions reported any results about student learning in accreditation reports. In my opinion, the accrediting organization's role has been a very positive influence helping institutions focus on educational results not just description of resources. But the acceptance of including student learning data in institutional reviews has been slow.

### *Federal Role*

In my opinion, an increased role by the federal government would be welcome. The US Department of Education's involvement has been very positive at the K-12 level, but there seems to be a void of leadership when it comes to assessment of collegiate learning. No single entity seems to be coordinating collegiate assessment. I believe some time and effort could be saved if practices and instruments could be shared, for example. The issues are so complex and the job so big that a single state can feel overwhelmed.

Here are some current advances that could be spotlighted at the national level that could raise the sophistication of all of collegiate assessment: highlighting the advancements of automated computer scoring of writing, using advanced measurement techniques such as item response theory to reduce bias in assessment instruments, featuring computer based testing that utilizes multimedia capabilities allowing us to formulate better test questions, using advancements in cognitive psychology to assess where a student's misconceptions lie so remediation can be better planned, and encouraging new assessment instruments to encourage greater sophistication of our measuring tools. Regarding the last point, a colleague and I are designing an instrument called the Curiosity Index to measure one's intrinsic motivation to learn that is central to lifelong learning.

Similar to the food labels listing the ingredients, wouldn't it be helpful to know what knowledge, skills, and personal characteristics college graduates possess? Such information would benefit both individuals and society. I applaud this committee for looking at the issue of collegiate outcome assessment, and I hope you can help us move the current state of affairs forward.

### *Some Miscellaneous Comments About Assessment Procedures*

At my institution, we have designed our own assessment instruments in general education, and are just establishing standards or cut-off scores in each area of general education. Competence is then achieved by an individual student reaching a particular cutoff score; again our current areas of competency are in technology (Word, Excel, Powerpoint), in information literacy (the ability to find, access, and find credible information usually stored in electronic form), and in oral communication. All of these instruments are computer-based tests.

As you know, there is much attention on the delivery of instruction via technology, but there is little attention to the delivery of assessment and testing via technology. We can ask better and more sophisticated test questions by incorporating multimedia components such as music, speeches from national leaders for government test questions, and video vignettes of speeches for public speaking courses.

Testing, as you may know, also has a very technical side. Reliability, or the precision at which we measure a student's ability, is critical and is validity, or the match between the learning objectives/content standards and the given test.

In general, most available collegiate assessment instruments have not used the most advanced measurement techniques. When we reviewed the problem solving, critical thinking, and writing collegiate assessment instruments for the National Postsecondary Education Cooperative (which receives financial support from NCES), very few testing instruments were designed with advanced techniques such as item response theory, generalizable measurement theory, or structural equation modeling.

For example, very few proprietary collegiate assessment instruments examine test item bias. This procedure is very common in college admissions tests and in K-12 tests. The shortage of reliable and valid assessment instruments for our institution is one reason our Assessment Center has the staff it does.

There are some exciting advances in the automated computer scoring of writing. Research has shown that the computer is more consistent in its ratings than people. And the relationship between the computer generated ratings and human ratings is moderately high.

*H.R. 4283*

I applaud Sec. 1025, "Study of Student Learning Outcomes and Public Accountability" (p. 201-203). I would offer two suggestions for additions. First, under point 3, p. 202, regarding instruments, please add "and sophistication." For example, our most advanced thinking in cognitive psychology and psychometrics should be brought to bear on existing practice. And second, I would also submit for your consideration that you request the report to offer recommendations for further steps. It is certainly useful to have summaries of the current status of state efforts, overlap in institutional effectiveness requirements among the accrediting organizations, and a review of existing instruments; but what is needed, in my opinion, is a series of action-oriented steps that outline how to achieve that an assessment process of student learning exists at each institution. This process is outlined to some extent in the regional accrediting associations, but more guidance could be established. Each college and university has learning as part of its mission, but not every college and university evaluates student learning in a programmatic way.

I am not advocating selection of a particular assessment instrument, nor am I advocating that you dictate what is to be measured. However, I do believe it is important to have aggregated information about student learning in general education that is available to the public.

Thank you again for the opportunity to share some ideas.

Chairman MCKEON. Dr. Martin.

**STATEMENT OF DR. JERRY MARTIN, CHAIRMAN, AMERICAN COUNCIL OF TRUSTEES AND ALUMNI, WASHINGTON, D.C.**

Dr. MARTIN. Amen to that, for openers.

I would like to commend the Chairman and Mr. Kildee and members of this Committee for boldly thinking about these issues and taking them seriously.

The American Council of Trustees and Alumni today would like to testify in support of one particular provision in H.R. 4283, which is to restore the provision that allowed States to qualify as accrediting agencies. As you know, that was the original intent of the legislation. It was removed somewhat arbitrarily about 10 years ago and should be restored.

I want to put that in a larger context. There is what some people call an accountability revolution going on in higher education. What you just heard from Dr. Erwin is part of that revolution. The heart of the accountability revolution is an emphasis on educational performance, on results, on outcomes and not just inputs and on cost-effective education.

Who is leading the revolution? I will tell you. It is not the institutions, despite some outstanding examples; and it is not the accreditors, sad to say. It is really State leaders. It is Governors, legislatures, State higher education commissions, boards of trustees who are leading the accountability revolution.

And if you ask why, you know, why is this such a burning concern in so many States, well, they are responding to the concerns of their constituents, of parents and students, of employers and taxpayers who are really quite worried that we aren't getting all we should for our investment and that the next generation isn't



going to be as well prepared as it should be to face the challenges of the 21st century.

In fact, studies show that their concerns are well founded. Employers report that college graduates can't write, as one testified before one commission. They can do—speaking of his employees in a high-tech firm, they can do the technicals but can't write the memo.

Grade inflation, just to mention another example, is rampant; and the leading researcher at Duke University reports that at virtually every college that has studied the problem it is getting worse.

At many colleges today, students can graduate without taking such core subjects as English, history, math and science. This new study, literally hot off the press as of yesterday, called "The Hollow Core", referring to core requirements, finds that of colleges studied, just to give you a couple of examples, only 14 percent require either American history or government, yet they are supposed to be preparing people for citizenship. And not one requires economics, which is really a scandal in today's economy. Instead, students are permitted to meet requirements with courses such as—and these are real examples, I kid you not—history of comic book art, rock music since 1970, campus culture and drinking. And one can go on with that list, where you would laugh; if not, you would want to cry. Needless to say, all these schools are fully accredited.

Accreditors talk about quality, but if you look at their deeds or the results and not just their words, you really have to ask, where is the beef? Over the last 4 years—the reports themselves are secret, so you have to go with those reported in the Chronicle of Higher Education, which is the newspaper of record for higher education—47 cases have been reported where accreditors are threatening a school over financial mismanagement. They seem to do a good job when it comes to helping to close down a financially insolvent school, although the market is, in effect, closing the school down. The accreditors want to make it official, I guess you would say, so they are looking at financial issues. But not a single case has been reported of an accreditor sanctioning a school or threatening it because of grade inflation where its graduates can't write, where its curriculum is incoherent, where the teaching is poor. Not a single case.

In a way, you can't blame the accreditors. It is hard to police your own members. They are part of that world of higher education.

Well, the American Council of Trustees and Alumni think it is time to go back to the original intent of the Higher Education Act. Originally, the Act permitted two options for a college. The college could be accredited either by a private association, if they so chose, or by the State, if they so chose. Either one was possible.

The system worked well and yet, in 1991, an arbitrary restriction was put in disallowing States from being recognized by the Secretary of Education as accreditors. One State was an exception, and that was New York, who was grandfathered in and still does accrediting in some areas to this day without any problem.

Well, this arbitrary restriction should be removed. State accreditation is OK for New York. It was OK for all States until 1991. It should be OK for other States today.

To sum up, Mr. Chairman, let me just say there are three advantages to allowing the State option:

No. 1, the States are well-equipped and motivated to do this job. Every State already has a procedure for certifying which institutions of higher education operate within its borders. In recent years, State governments have made dramatic efforts to improve accountability, reward performance and achieve greater cost effectiveness, done without the help of accreditors. After all, it is their young people and their tax dollars at stake.

No. 2, the State option is entirely voluntary. They can choose to do it or not do it. The college, they can choose to go to their State or to remain with a private accreditor.

No. 3, the State option adds competition. There is little incentive other than prodding from this Committee and this Congress for accreditors to improve as long as they have a monopoly. Competition can be a very effective motivator for reform.

Thank you, Mr. Chairman.

Chairman MCKEON. Thank you.

[The prepared statement of Dr. Martin follows:]

**Statement of Dr. Jerry L. Martin, Chairman, American Council of Trustees and Alumni, Washington, DC**

It is often said that American higher education is "the envy of the world." This is certainly true in areas such as science, medicine, engineering and other technical fields. It is also true with regard to access—the large percentage of the population that attends college.

But in some other respects, American higher education is less impressive.

Employers complain that graduates cannot write. "They can do the technicals," one said, "but they can't write the memo." Yet not a single case has been reported of accreditors sanctioning a school on these grounds.

A Roper survey, described in the American Council of Trustees and Alumni's report, *Losing America's Memory*, found that college seniors, even at top colleges, do not know American history. Only one-quarter could identify James Madison as the Father of the Constitution, George Washington as the victor at the battle of Yorktown, or the most famous words from the Gettysburg Address. It was not hard to locate one source of the problem: none of the colleges require American history for graduation. Yet they are all accredited.

Grade inflation is rampant, and is getting worse. Nothing is more essential to upholding quality and motivating academic achievement than giving honest grades. Another ACTA report, *Degraded Currency: The Problem of Grade Inflation*, summarizes current research on the topic. A comprehensive study by Columbia's Arthur Levine and Jeannette Cureton, finds that the percentage of A's has increased from 7 percent of all grades in 1969 to 26 percent by 1993. During the same time period, the C grades fell by 66 percent. The problem has grown worse since that time. Based on his ongoing study of grade inflation, Duke's Stuart Rojstaczer reports that, "The rise has continued unabated at virtually every school for which data are available." To cite one particularly timely example, the Boston Globe recently reported that, in the last two years, the number of A's and A minuses at Harvard actually increased from 46.4 percent to 47.8 percent. Every student graduates with honors who is not in the bottom 10 percent of his or her class. In spite of the pervasiveness of this problem, we are not aware of a single instance of a school being sanctioned by the accreditors for grade inflation. In fact, no case has been reported of the issue even having been raised by accreditors.

Probably the most important question about a college is: What are students studying and learning—in short, what is the college curriculum? Most importantly: What courses are required for every student? Yet, there is massive evidence for the fact that, under the current accrediting system, the college curriculum has fallen apart.

ACTA's new study, *The Hollow Core*, examines the general education offerings at 50 colleges and universities, including the Big Eight and Big Ten, the Ivy League,

and the Seven Sisters. The study finds that college requirements have so many loopholes, students can often graduate without taking core subjects such as math, science, composition, literature, economics, or American history or government. Not one of the surveyed colleges requires a general course in economics. Only 12 percent mandate a general course in literature, while a mere 14 percent insist that their students study American history or government. Needless to say, all these colleges are accredited.

Instead of solid core requirements, many colleges now offer students a cafeteria-style menu of hundreds of often narrow and even odd courses. At various universities, the humanities requirement, which used to require broad courses such as History of Western Civilization, can be met by such narrow courses—these are all real examples—as “History of Country Music,” “Movie Criticism,” or “Dracula.” The literature requirement, once a survey of English literature, can now be met by such courses as “Quebec: Literature and Film in Translation” and “The Grimms” Fairy Tales, Feminism, and Folklore.” History requirements can be met by “History of College Football,” “History of Visual Communication,” or “Sexualities: From Perversity to Diversity.”

Borrowing from Cole Porter, the Association of American College’s study, *Integrity in the Curriculum*, concluded that, as for what passes as a college curriculum, “Almost anything goes.”

In theory, the accreditors should be the guardians of academic quality. In reality, it has taken enormous external pressure, including explicit Congressional directives, to persuade accreditors to address more directly issues of educational quality and student learning. In response, accreditors have added some general language like the following from the Middle States Association: “The kinds of courses and other educational experiences that should be included in general education are those which enhance the total intellectual growth of students, draw them into important new areas of intellectual experience, expand cultural awareness, and prepare them to make enlightened judgments outside as well as within their specialty.” The North Central Association requires “a coherent general education requirement consistent with the institution’s mission and designed to ensure breadth of knowledge and to promote intellectual inquiry.”

It is hardly surprising that, when the Office of the Inspector General of the U.S. Department of Education reviewed the criteria of the North Central Association, it found them devoid of any “specific measures to be met by institutions” and insufficient for distinguishing between compliance and non-compliance. Such criteria ensure that colleges will pay lip-service to sound educational goals, but not that they actually deliver a solid education to their students.

Few and far between are the examples of colleges whose accreditation has been denied on grounds of educational performance. As DePaul University’s David Justice writes, “The truth of the matter is that regional accrediting associations aren’t very good about sanctioning an institution for poor quality.”

If the accreditors are lax when it comes to enforcing standards of educational quality, what demands are they placing on universities? The accrediting reports themselves are secret, but a review of accreditation problems reported over the last four years in *The Chronicle of Higher Education* found that—with only a few exceptions outlined below—all of the 47 U.S. colleges placed on probation were in trouble because of financial insolvency.

Yet, in this area, accreditors are largely redundant. The market has already rejected these institutions and is in the process of putting them out of business. Moreover, the financial health of institutions of higher learning is already certified by the U.S. Department of Education. No institution may receive federal funds until the Department verifies its eligibility and certifies its financial and administrative capacity. In addition, as the accreditors themselves admit, the bond-rating services establish financial viability on the basis of a more thorough review than accreditors.

Accreditors mainly focus, not on educational performance or results, but on a variety of inputs, including the number of books in the library, the credentials and demographics of the faculty, student credit hours, what percentage of students live on campus, how many courses are offered at night, and so forth. They seem especially interested in procedures—shared governance procedures, appointment and tenure procedures, grievance procedures, program review procedures, and so forth.

Former U.S. Senator Hank Brown, who recently served as President of the University of Northern Colorado, reports that the accreditors did not ask what the students were learning but focused mainly on whether the faculty was happy.

The *Chronicle of Higher Education* reported last month that accreditors told the University of North Dakota governing board to drop the institution’s Indian-head logo and Fighting Sioux nickname.

The same accrediting agency evaluated the University of Illinois at Urbana-Champaign and objected to the University's mascot—Chief Illiniwek.

Currently, Auburn University's accreditation is threatened primarily because the board of trustees is said to micromanage the athletic program. "None of the problems relate to education," reports *The Chronicle*.

One has to wonder whether challenging colleges over mascots and trustee involvement in athletics are what Congress envisioned when it gave accreditors the power to cut off a university's federal funds. Yet these are the only reported cases of sanctions on non-financial grounds.

Accreditors talk about ensuring quality but, if we look at their track record, we have to ask: "Where's the beef?"

What is the solution?

First, the ideal solution is to get the federal government of the accreditation business. Let private accreditors be private again. That worked fine before the federal government became involved and it will work fine again. If colleges want to be accredited, fine. If accreditors get out of line, as they sometimes do, the college can just drop them. Private accreditors would no longer have the power of the federal government behind them.

That does not mean that the federal government would have to become an accreditor. For the purposes of making sure that federal funds going only to bona fide colleges, a much simpler and less expensive procedure could be established. Colleges could be required to answer questions that demonstrated their legitimacy—with penalties for fraudulent declarations. That should be sufficient to identify the institutions that are "colleges" in name only.

Second, there is a lively market in higher education. What college to attend is a decision that consumers take very seriously. Yet accreditation evaluates colleges and then keeps the evaluations secret. Useful information is being wasted. Massive data gathering occurs prior to an accreditation visit. Relevant parts of this data should be shared with the public. The College Consumer Profile envisioned in this bill is very promising in this regard.

Third, if accreditors have a poor record when it comes to ensuring quality, why not allow an alternative? There is an accountability revolution in higher education, but it does not come from the accreditors or from what is euphemistically called "the higher education community." It comes from the states—from Governors, legislators, state higher education commissions, boards of trustees, business leaders, and parents. Let me just give you two examples:

1. Trustees are appointed to represent the public interest and, with the assistance of ACTA, are becoming increasingly active and expert in overseeing quality. The City University of New York board of trustees raised admissions standards, removed remediation from the senior colleges, and now requires that students pass an independently administered examination before they move to upper-division course work. Boards of trustees in a number of states are taking proactive steps to demand more rigorous core requirements for their students. None of these improvements were the results of accreditors' recommendations.

2. State higher education agencies—such as the Colorado Commission on Higher Education and the State Council of Higher Education for Virginia—are framing performance measures that look at educational results and not just inputs. Hank Brown, who became a college president after serving in the Congress, reports that, while the accreditors did not ask questions about what students were learning, one agency did—the Colorado Commission on Higher Education. Meanwhile, Virginia's State Council now collects and annually releases the results of institution-based assessments of student learning to help ensure academic quality.

The regional accrediting associations function as de facto cartels. Monopolies are not good at self-correction. The best medicine is competition. Whereas accreditors have shown great reluctance to become meaningfully involved in educational standards and student learning, the states have shown an intense interest in making sure their colleges and universities provide a first-rate education to all their citizens. The money is coming out of their pockets, in taxes and tuition, and it is their kids who are being educated—or failing to be educated. The original Higher Education Act allowed states, if they so chose, to provide an alternative to accreditors. About ten years ago, this option was arbitrarily deleted. Now only New York has this right. H.R. 4283 wisely restores this option for any state that wishes to exercise it.

ACTA believes that eliminating this arbitrary restriction and allowing all states the option of providing accreditation to institutions within their states would provide several benefits:

1. Every state already has some mechanism for certifying institutions of higher education operating within their states. The states are competent to do the job of

accreditation and might do it better. In recent years, state governments have made considerable efforts to improve accountability, reward performance, focus on outputs not just inputs, and achieve greater cost-efficiency.

2. The states are accountable to the voters and the taxpayers. The regional accreditation associations are accountable to their own members, namely, the universities they accredit.

3. Colleges and universities that feel they are being treated in unfair and arbitrary ways by accreditors should have recourse to a legitimate alternative. Absolute power corrupts.

4. There is little incentive for the regional accreditors to improve so long as they have a monopoly. Competition, even the possibility of competition, can be very effective in motivating reform.

The American Council of Trustees and Alumni would like to thank the House Committee on Education and the Workforce for addressing these issues thoughtfully, candidly, and boldly on behalf of the students and parents of America.

Chairman MCKEON. Dr. Davis.

**STATEMENT OF DR. JAMES DAVIS, PRESIDENT, SHENANDOAH UNIVERSITY, WINCHESTER, VIRGINIA**

Dr. DAVIS. Thank you Chairman McKeon, Ranking Member Kildee and members of the Subcommittee. I feel a great deal of affinity for your work today, having served three terms in the Virginia legislature and sitting on the House Education Committee there.

I am testifying today basically on behalf of the National Association of Independent Colleges and Universities, which represents nearly a thousand private, nonprofit colleges and universities and related associations. My own university, Shenandoah University, has approximately 2,800 students located in the Shenandoah Valley of Virginia.

I think democracy is a wonderful thing, and my colleague looks through one set of lens at higher education and I look through an entirely different set of lens. I can assure you in my work as a State legislator, the State option for accreditation is not a good one; and if we have time we can probably explore that in a little more detail.

The current accreditation system is a uniquely American institution. In most other nations, quality reviews are done by centralized government authorities. They do not have the best higher education system in the world, we do; and we have it because of the unique relationship that exists between peer review and appropriate levels of government involvement. Certainly peer accreditation has its challenges, but, by far, it is still the best system in the world, and it is getting better all the time.

I have to chuckle because I started out as a young critic of accreditation of the Southern Association of Colleges and Schools and of some 16 specialized accrediting bodies that currently accredit programs at my institution. Over a period of the past 30 years, I have now chaired more than 25 Committees for accreditation at institutions throughout the South; and I can assure you that those are rigorous reviews and that the results of those reviews do bring about change.

Certainly, accreditation can be improved, but it is not a system that you will want to destroy in any way. Well, how do we make it continue to work? We make it continue to work through partnerships. We need to continue to define roles and maintain that appropriate balance between government and peer independent review.

That is essential if we want to maintain the autonomy of the independent sector. Because the more control that is put on our system the less freedom that is there to be creative and bring about changes, oftentimes, that occur in the public sector because of the ability to innovate.

Why does House bill 4283 have unintended consequences? Primarily because it shifts responsibilities in some key areas that I think are not wise for our country. One in particular is shifting the enforcement of data collection that the Department of Education should do for monitoring consumer profile information. That should stay with the Department of Education and not be pushed over into accreditation.

The monitoring of distance education on a greater basis than is currently the case, in my opinion, would not be wise. Almost every institution of higher education that I know today has some distance education, either for their traditional students or for other students. It is being evaluated. Institutions do understand the cost and the integrity needs for distance education; and it does not require, in my opinion, drastic measures, simply tweaking and encouraging current accreditation processes to continue to improve and work better.

Finally, I mentioned earlier the issue of moving responsibility to the States for accreditation; and, again, I urge you not to do that. My members will tell you independence of the private sector would be greatly at risk if you did that. From my own experience in being in the legislature and now serving as President of an institution for 22 years, I do not think it would be wise.

There was a good example in Virginia where we upgraded the laws in Virginia to attempt to stop degree mills from operating. In the process, a simple little piece of legislation drew five institutions that had been in the Commonwealth for a long time and were well established into a new maze of regulations and fees that it required to undue this past legislative session. Unfortunately, my institution was one of those, and I was delighted that I had the legislative experience to work to help bring about the change that was necessary.

Well, this bill also deals with transparency issues; and I want to emphasize that I think transparency is extremely important. But we need to understand that transparency and accreditation should be primarily for status of institutions, for penalties, for infractions that may occur. It should not destroy the consultative work that is done on peer accreditation because it is almost half or more the value; and when you publicize that information, you publicize members of the Committees. All you are doing is reducing the willingness of people to serve and the willingness of people to be truly helpful in the accreditation proceedings.

In summary, I would urge you to believe that peer accreditation which is relatively free of government involvement is essential to democracy and the concepts of freedom that we all enjoy. It is a unique American institution. It is very fragile, and it can be destroyed very easily if we are not careful.

I would urge you to believe that peer accreditation has some challenges, but members like myself and others who voluntarily participate in that process believe that we can make it better, with

your encouragement, with dialog. As president of one of these institutions, I will invite you to spend a few days with me as I work to satisfy all of the many constituencies as have been mentioned here and others as we make decisions about cost, quality and a number of other things. It would be a joy to have you sit with me and experience the kind of commitment that is there on the part of my colleagues and others, and especially in the independent sector that I am speaking for, for the work they do to keep the system of higher education in America strong.

We are committed to cooperating with you on this bill. We don't want to be protagonists. We don't want to stand in the way of good change. But when we think you are wrong, Mr. Chairman, we think we need to say we think you are wrong and still respect you for your long-standing commitment to higher education and also the affirmations that you gave in your opening statement that I think are important.

Thank you and appreciate the opportunity to speak to the Committee today.

Chairman MCKEON. Thank you.

[The prepared statement of Dr. Davis follows:]

**Statement of Dr. James A. Davis, President, Shenandoah University,  
Winchester, Virginia**

Chairman McKeon, Ranking Member Kildee, and members of the subcommittee, I appreciate having the opportunity to appear today to discuss accreditation and its role in U.S. higher education. My name is Jim Davis, and I am president of Shenandoah University. I have been involved with accreditation for approximately the past 28 years and have served in a variety of capacities with the Southern Association of Colleges and Schools Commission on Colleges.

I am testifying on behalf of the National Association of Independent Colleges and Universities (NAICU), which represents nearly 1,000 private, non-profit institutions of higher education. NAICU membership reflects the diversity of private, non-profit higher education in the United States—including traditional liberal arts colleges, major research universities, church- and faith-related institutions, historically black colleges and universities, women's colleges, performing and visual arts institutions, two-year colleges, and schools of law, medicine, engineering, business, and other professions.

*Accreditation in the United States*

The accreditation process is a private one that long pre-dates the enactment of the Higher Education Act. It was devised as a means by which institutions could engage in peer review and self study in order to maintain and expand the quality of their educational offerings.

Accreditation is a uniquely American institution. In most other nations, quality reviews are generally conducted by centralized governmental authorities. The tradition of institutional autonomy in the United States called for a different approach. It is an approach that has proven highly successful over the years. It has allowed a diversity of institutions to flourish and has helped make American higher education the standard for the world.

The private-public partnership between the accreditation process and the federal government began over 50 years ago with the enactment of the "Veterans' Readjustment Assistance Act of 1952" (commonly known as the GI Bill). That act required the U.S. Commissioner of Education to publish a list of accrediting agencies and associations that he regarded as reliable authorities as to the quality of training offered by an educational institution. This requirement was subsequently restated in other federal education laws, including the Higher Education Act of 1965.

Federal reliance on accreditation in determining the quality of institutional offerings was further formalized in the 1992 amendments to the Higher Education Act as part of a broader effort to articulate the respective roles of States (consumer protection), accreditors (quality), and the Department of Education (program integrity and administrative capacity) in the so-called "triad." This basic division of responsibility remains sound in concept but requires careful delineation of roles to operate

successfully. The failure, for example, to limit the scope of State Postsecondary Review Entities (SPREs) to consumer protection activities led to the repeal of this portion of the 1992 amendments.

Clearly defining roles and maintaining an appropriate balance among the entities that have a role in maintaining public confidence in higher education is a challenging task, but it can be accomplished. And it is important to do so not only to preserve the autonomy of higher education but also to permit accreditors and others to focus on what they do best.

*Accreditation Provisions of H.R. 4283*

The accreditation provisions of the “College Access and Opportunity Act” (H.R. 4283) cover a broad range of topics, including consumer information disclosures, distance education, governance, student learning outcomes, student complaints, and the transfer of credit. In addition, the measure permits states to become accreditors.

Many of these provisions may well lead to unintended consequences. Some provisions turn accreditation agencies into surrogate federal enforcers, while others ask accreditors to assume responsibilities that are far removed from assessing educational quality. Taken as a whole, these proposals raise substantial concerns that the purpose and effectiveness of accreditation will be weakened. Read simply, this bill would interfere with the ability of accreditors to do their jobs well.

Our mutual goal is to assure that the quality of higher education in the United States remains high and that the public can have confidence in our institutions. I would like to highlight several of the provisions that I believe will have unintended consequences.

*1. States as accreditors.*

Permitting states to become accreditors would set us on the path towards the kinds of problems that Congress rightly chose to address by repealing SPRE. There is a division of responsibility among States, the federal government, and accreditors that should be maintained. Otherwise, we will end up with inconsistent and uncoordinated regulation. Moreover, NAICU member institutions are, by their very nature as private, non-profit institutions, not under the direct control of State governments. They should not be placed indirectly under such control through the accreditation process. If that occurs, we could easily start to look and feel like state institutions—losing the overall diversity of American higher education.

*2. Consumer information/College Consumer Profile.*

The bill requires accreditors to assure that institutions develop and make public a “College Consumer Profile.” Requiring accreditation agencies to enforce data collection efforts by the Secretary is inappropriate and unnecessary. The Secretary has all the authority he needs to collect data from institutions. Requiring back-up enforcement from accreditors only serves to distract them from their primary purpose which is to assure the quality of education institutions.

I share the interest of members of the subcommittee in seeing that students and parents have access to the information they want and need about an institution of higher education. Institutions currently provide substantial amounts of data to the Department of Education. A concerted effort to determine which of this data is of value to consumers and how to provide it in a user-friendly manner would be useful. As currently devised, however, the proposed College Consumer Profile does not accomplish this goal.

*3. Consumer information/Public disclosure.*

General disclosures of accreditation findings will substantially change the nature of the accreditation process and undermine the frankness and candor that help make the process successful. Inevitably, negative information from a review will be reported out of context a prospect that can have particularly devastating consequences for small institutions.

Again, I believe the challenge here is determining what it is that students and parents want to know. Much of the information provided in accreditation reports is mainly consultative rather than directly related to the standards or requirements. I am not convinced that many students and parents would actually read a summary of accreditation findings. On balance, this proposal would do little to advance public understanding of accreditation and its findings while having the potential to damage the process.

To the extent that the committee wishes to increase public understanding of the accreditation process, I stand ready to help find ways to increase transparency in ways that will not undercut the frank exchanges that are critical to continued improvement.



*Governance.*

The bill would require accreditors to assess an institution's "governance capacity." Most accreditors already review governance and independence of boards that oversee the operations of institutions. Including a standard in legislation only creates complications in definitions, duplication of effort with current efforts by the Internal Revenue Service, and the potential for inappropriate interference in areas such as the board composition of religiously affiliated institutions.

*4. Transfer of Credit.*

The bill sets up accreditation as a means of enforcing proposed new transfer-of-credit requirements. Congressional involvement in transfer of credit issues is unwise because these decisions go to the heart of institutional integrity and ability to shape educational programs. This issue is so complicated and includes so many variables that it would be impossible to legislate appropriately.

The stated purpose of these provisions is to assure that transfer credits are not rejected solely on the basis of the type of accreditation of the sending institution. However, the most controversial aspects of the actual language of H.R. 4283 goes well beyond what is necessary to achieve that purpose causing even greater concern about the pitfalls of legislating in this area.

For example, the bill also sets the standards upon which transfer decisions should be made and requires disclosure on an annual and 3-year rolling average the percentage of credits accepted in transfer and fully counted toward degree/certificate completion requirements, disaggregated by four categories: nationally accredited; regionally accredited in the same State; regionally accredited in the same region; and regionally accredited in a different region.

*5. Student Learning Outcomes.*

The bill expands the portion of the law dealing with student achievement standards that must be assessed by an accreditor and provides that accreditors evaluate the substance of the information disclosed to students regarding an institution's learning objectives for its academic programs.

Current law provisions are adequate to deal with review of student learning. Accrediting agencies are placing great emphasis on such reviews now. Linking this review with a new requirement that institutions develop "desired learning outcomes" for each of their academic programs could lead to standardized measurement of those outcomes. Learning outcomes are the basis of the formation of curriculum, which is best left to faculty and institutions to shape.

*6. Distance Education.*

The bill includes additional requirements an accreditor must meet in order to include evaluation of distance education within its scope of recognition and requires that accreditors monitor the growth of distance education programs.

Already 90% of institutions of higher education offer some form of distance education for their regular students or for those considered non-traditional. Some refinement of the distance education provisions would help assure that a separate accreditation process for distance offerings is not established.

In addition, it is certainly important to monitor the growth of distance education programs. At the same time, protecting student aid programs from fraud and abuse is the direct responsibility of the federal government. This responsibility should not be relegated to the accreditation process, which is neither an authority on Title IV administration nor regular enough to monitor excessive growth in student aid funds. Monitoring the growth of distance education programs should be the responsibility of the Department of Education not of accreditors.

*Conclusion*

I contend that peer accreditation which is relatively free of government involvement is essential to democracy and the concepts of freedom we enjoy today. It is a unique American institution and Congress should not destroy it with creeping legislation that is well intended but directed toward the wrong entity. Peer accreditation has some challenges but it is still considered to be the best system in the world that has produced the best higher education system in the world.

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Chairman MCKEON. Dr. Keiser.

**STATEMENT OF DR. ARTHUR KEISER, IMMEDIATE PAST  
PRESIDENT, ACCREDITING COMMISSION OF CAREER  
SCHOOLS AND COLLEGE OF TECHNOLOGY, FT. LAUDER-  
DALE, FLORIDA**

Dr. KEISER. Mr. Chairman and members of the Subcommittee, thank you for the opportunity to testify about accreditation and its ability to ensure institutional accountability and quality for students and their parents.

I am Arthur Keiser, Chancellor of the Keiser Collegiate System, which includes Keiser College, Keiser Career College and Everglades University. I am testifying here on behalf of the Accrediting Commission of Colleges and Schools of Technology, a private, non-profit national accrediting agency recognized by the Secretary of Education since 1967. We currently serve over 800 institutions with 400,000 students.

I will discuss four topics today: one, how greater transparency in the accreditation process serves students and the public; two, the role that accreditors can play in improving institutional accountability; three, accreditation's role in addressing problems raised by arbitrary denial of transfer of credit; and, four, the enhanced role of accreditation in assessing distance education.

In focusing on increasing transparency in accreditation, the Commission believes that H.R. 4283's provision strikes the appropriate balance between ensuring accountability and maintaining the confidentiality and integrity of the accrediting process. Our Commission supports these disclosure requirements.

The bill's provision also requires public disclosure of accreditation team members, a description of an accrediting agency's processes for selecting and training these individuals as well as disclosure for the agency's code of content. We understand the intent but recommend that the bill require the disclosure of an updated list on an annual basis without disclosing the makeup of each specific team site.

In the area of accountability, ACCSCT believes that the bill's provision to create a College Consumer Profile takes an important step forward in providing more information about schools to students that attend or would like to attend particular colleges. In my capacity as Chancellor of Keiser Collegiate System, I do not believe these provisions require institutions or accreditors to develop or disclose a significant amount of new data.

Public disclosure of student achievement will also improve institutional accountability. ACCSCT believes it is increasingly important that institutions participating in title IV programs demonstrate the benefits that students will receive from institutions' educational programs. In order to accomplish this goal, ACCSCT believes that Congress should place a greater emphasis on the use of meaningful performance measures that affect an institution's participation in the student aid program, including placement, completion and retention.

ACCSCT believes that House Resolution 4283's provision to amend the student achievement standards required for accrediting agencies reflect the consumers' interest in outcomes, retention, completion and job placement. The bill's provision accomplishes this in a manner that is differential to the ability of institutions

and accrediting bodies to determine the appropriate measures of students' academic achievement based on an institution's mission and the learning objectives of individual programs.

ACCST shares the desire of the Chairman and the Committee to eliminate the unnecessary burdens on students on the Federal treasury. One important way in which to do this is to improve the student's ability to transfer credits. In many cases, students that rely on title IV student loans are forced to retake courses for which credit is denied.

The standards for recognition by the Secretary are identical for both national and regional accrediting agencies, yet barriers to the transfer of credit are particularly prevalent when students attempt to transfer credits from national credit institutions to regionally accredited institutions.

I am personally familiar with some of the obstacles that my students have faced. I have included one student's story in the written testimony and others as clear examples of the arbitrary transfer process.

The Keiser Collegiate System is comprised of both regionally and nationally accredited institutions. Although there are differences in processes, expectations and standards, I can attest from experience the national accrediting agencies are as effective and comprehensive in reviewing institutional quality and integrity as regional accrediting agencies.

During the last decade, the development of distance education has provided another increasingly important means to achieve a postsecondary education. The growth of on-line education is particularly important to working adults and the more diverse circumstances that students face.

The College Access and Opportunity Act takes important steps by removing the 50 percent rules. In doing so, the bill relies on accreditation to play an enhanced role in ensuring quality. Whether the accrediting agencies choose to rely on separate standards or discrete standards to review distance education, we believe that legislation should focus on the accrediting agency's capabilities to review these institutions or programs with as much rigor as they do campus-based institutions, while also recognizing the special attributes of the campuses.

I thank you for this opportunity to testify before the Subcommittee.

Chairman MCKEON. Thank you.

[The prepared statement of Dr. Keiser follows:]

**Statement of Dr. Arthur Keiser, Immediate Past Chairman, Accrediting Commission of Career Schools and Colleges of Technology, Ft. Lauderdale, Florida**

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to testify about accreditation and its ability to ensure institutional accountability and quality for students and their parents. I am Arthur Keiser, Chancellor of the Keiser Collegiate System, which includes Keiser College, Keiser Career College, and Everglades University. The Keiser Collegiate System comprises 16 campuses in the State of Florida with over 7,000 students. Sixteen accrediting agencies review these institutions, including both national and regional agencies, as well as those that provide institutional and programmatic review. I am testifying here today on behalf of the Accrediting Commission of Career Schools and Colleges of Technology (ACCST or the Commission). I am completing my term as an ACCST Commissioner in July and I just completed a two-year term as Chairman.

ACCST is a private, non-profit independent accrediting agency recognized by the Secretary of Education since 1967. It is a national agency that accredits approximately 800 institutions with over 400,000 students throughout the country. ACCST-accredited institutions are both non-profit and for-profit, degree and non-degree granting. These institutions prepare students for trade and technical careers in many areas including computer programming, commercial art, culinary arts and medical technology, among others.

ACCST applauds you and the Subcommittee for holding this hearing today to ask the important question of how accreditation performs in providing accountability and quality control. Accreditation predates the Higher Education Act and has always been voluntary in nature. However, since the enactment of the Higher Education Act in 1965 accrediting bodies have held an important role in the regulatory process that determines whether institutions participate in Title IV. Without accreditation by an agency recognized by the Secretary, an institution may not access Title IV funds. For those institutions that participate, accrediting agencies have the important responsibility to ensure the quality and integrity of their programs. For those accrediting agencies that seek recognition from the Secretary, the Act currently contains a number of obligations that must be met with regard to accreditation review and operating procedures. ACCST believes that the accreditation community provides quality assurance and accountability for students and their parents. ACCST also shares your interest in strengthening that current role through passage of H.R. 4283's provisions on accreditation.

In the testimony that follows, I would like to provide you with background regarding ACCST's accreditation mission and process and then share the Commission's view on what particular goals might be achieved through the reauthorization process to enhance accreditation's consumer protection role. Specifically, I will discuss four topics: 1. how greater transparency in the accreditation process serves students and the public; 2. the role that accreditors can play in improving institutional accountability; 3. accreditation's role in addressing problems raised by the arbitrary denial of transfers of credit; and 4. the enhanced role of accreditation in assessing distance education.

#### *I. Overview of ACCST's Accreditation Practices*

The Commission has thirteen members: six are public members representing government, industry or the higher education community, and seven members represent the private career school sector. School members are elected by ACCST institutions, and public members are selected by the Commission after being recommended by ACCST's nominating committee. Each commissioner serves for a maximum of four years.

The Commission is well suited to provide its perspective on whether accreditation, and ACCST specifically, assures students and parents institutional accountability and quality. We believe that the Commission's focus in these areas provides protection for students' investments in their educations. The Commission's mission is to accredit career schools and colleges in the United States, its territories and abroad. Its mission has two primary goals: to assure students and the general public of the quality of education provided by institutions and their programs, and to assist institutions in continuously improving to better serve students.

The Commission has adopted detailed standards which ACCST-accredited institutions must meet in order to maintain their accreditation status. The standards define a model of accreditation that assesses the effectiveness of an institution by examining faculty, admission practices, facilities and equipment, financial and administrative capability and student services, as well as the performance outcomes of students, such as favorable completion and job placement rates, and pass rates on state licensing or national certification examinations. These standards reflect a concern for consumer protection and student satisfaction. For example, the Commission requires its institutions to disclose to prospective students before enrollment information regarding tuition, incidental costs and refund policies. The Commission also requires institutions to provide students copies of the complete enrollment agreement, including both the student's and institution's obligations. A copy of the Commission's standards is included with this testimony.

Through the self-evaluation process, an institution has the opportunity to assess its programs against ACCST's established standards and to identify areas of strength and those that need improvement. Once an institution completes its self-evaluation report, a team visit is conducted by ACCST to verify the information submitted in the report and to determine the institution's adherence to its stated objectives and compliance with the Commission's standards of accreditation. These visiting teams generally include a team leader to review an institution's administration, student services and financial position; an occupation specialist to evaluate the

training and equipment for each discipline in which the institution provides instruction; and an education specialist from an accredited two- or four-year college or university for review of faculty, libraries and instruction. All teams include an ACCSCT staff member as well.

Once a team visit is complete, the team prepares a written report to which the institution has the opportunity to respond. The Commission then reviews these reports and comments before a decision on accreditation is made. In addition to these materials, the Commission may seek additional information from state and federal agencies, other accrediting agencies and the public. The institution may respond to these third party comments.

ACCSCT meets at least quarterly to conduct business related to school actions. The Commission can grant accreditation to an institution for up to five years. Shorter accreditation periods are granted in instances where the Commission sees the need to closely monitor an institution's compliance. The Commission may take the following actions on an institution: accredit/reaccredit (with or without stipulation); defer action pending additional information; order the institution to Show Cause as to why accreditation should not be revoked; place an institution on probation; deny or fail to grant accreditation; and remove an institution from accreditation.

We strongly believe that the Commission's standards and procedures provide the public with the assurance of quality and accountability. Can accrediting agencies do more to improve in this area? The Commission believes they can and early in the Reauthorization process, the Commission focused its attention on how the Act might be amended to provide more information to students and to the public regarding the quality of an institution's programs, while at the same time preserving the integrity of the accreditation process.

### *II. Improving Transparency in the Accreditation Process*

The Commission believes H.R. 4283's provisions strike the appropriate balance between assuring accountability and maintaining the confidentiality and integrity of the accreditation process. The bill would require accrediting agencies to provide both the Department and the public a summary of actions taken on an institution. The Commission supports the disclosure of information relating to final actions. In fact, at a minimum, accrediting agencies are already required to notify the Department of actions taken. In the case of a final decision to deny, terminate or suspend, accreditation agencies currently are required to provide a notice and summary of such actions to the Department. Such disclosures must be made available to the public upon request. The most significant change under the bill is with regard to the public disclosure of these summaries. The expansion of information required to be disclosed should not represent a dramatic change for accreditors or the institutions. These provisions simply enhance and clarify many of the current provisions of the Act.

The bill's provisions also require public disclosure of accreditation team members, a description of accrediting agencies' processes for selecting and training these individuals, as well as disclosure of the accreditor's code of conduct. The Commission understands that the intent of these provisions is to assure the public that accrediting agencies and their representatives are qualified to review their institutions and ensure quality. With the significant number of evaluators used by all of the recognized accrediting agencies, we recommend that the bill require the disclosure of an updated list on an annual basis without disclosing the make-up of each specific site team.

### *III. Improving Institutional Accountability using Accreditation*

ACCSCT has worked to examine ways in which both institutions and accrediting agencies can provide the student-consumer more information about the schools they attend or would like to attend. We believe that the bill's provisions to create a "college consumer profile" take an important step forward in this area. In my capacity as Chancellor to the Keiser Collegiate System, I do not believe these provisions require institutions or accreditors to develop or disclose a significant amount of new data. Much of the information to be disclosed relates directly to the criteria already required to be reviewed under the Act's provisions on accrediting agency standards. What is important and new about the development of the profile is that the information will be provided and disclosed to the public in a consistent manner by a single entity, the Department. Under the bill, accrediting agencies would have the role of ensuring that institutions comply with these requirements.

Public disclosure of student achievement would also improve institutional accountability. As recently demonstrated by the Education Trust, graduation rates are disturbingly low at many American institutions. ACCSCT believes it is increasingly important that institutions participating in Title IV programs demonstrate the benefits that students will receive from institutions' educational programs. It is impor-

tant for institutions to be more accountable with regard both to student completion rates and other appropriate outcomes that demonstrate student achievement and learning. In order to accomplish this goal, ACCSCT believes that Congress, through Reauthorization, should place a greater emphasis on the use of meaningful performance measures to affect institutions' participation in student aid programs, including placement, completion and retention rates.

ACCSCT, like other national accrediting agencies, already assesses student outcomes and each accredited institution's performance in this regard. Our standards require reasonable and acceptable levels of completion, placement and pass rates on licensure and certification examinations. We have collected extensive hard data on these and other measures of institutional performance. The statutorily mandated recognition criteria for accrediting agencies have included assessment of institutions' student achievement since 1992. In 1998, Congress increased the emphasis on accrediting agencies' assessment of student achievement by placing it as the first criterion to be considered in recognition reviews of accrediting agencies. ACCSCT has developed an equation in response that requires institutions to calculate completion and job-placement rates and to maintain rates that are within one standard deviation of the average for comparable programs or schools. ACCSCT's ability to collect important completion-rate and job-placement data on its institutions provides its institutions with clear bright-line goals to meet. In 2002, the average completion rate for all programs at ACCSCT-accredited institutions was 68.6%; the overall job placement rate as 84.3%.

A recent article in the New York Times highlighted that a significant majority of all students seek a higher education in order to improve their career opportunities. According to a survey conducted by the Center for Survey Research and Analysis at the University of Connecticut, 64 percent of students surveyed indicated that the primary purpose of a college education is to prepare students for specific careers.<sup>1</sup> The article provides an overview of efforts made by traditional institutions to accommodate this purpose.

H.R. 4283's provision to amend the student achievement standards required for accrediting agencies reflects the consumer interest in outcomes, retention, completion and job placement. The bill's provision accomplishes this in a manner that is deferential to the ability of institutions and accrediting bodies to determine the appropriate measures of student academic achievement based on an institution's mission and the learning objectives of individual programs. As mentioned above, ACCSCT and many other national accrediting agencies have required a review of such data for a number of years and believe that all institutions, and their accrediting agencies, should be capable of collecting and reviewing such data as a way of strengthening programs and holding them accountable for meeting their objectives, as they define them.

#### *IV. Addressing the Denial of Credit Transfers based on Accreditation*

ACCSCT shares the desire of the Chairman and many on the Committee to eliminate unnecessary burdens on students and on the Federal Treasury. One important way in which to do this is to improve students' ability to transfer credits. The ability of students to transfer credit between institutions is a critical component to ensuring the efficiency and effectiveness of Title IV funding.

According to one study performed by the Institute for Higher Education Policy, over 50 percent of 1996 baccalaureate graduates attended at least two colleges and universities. With the increased number of adult students and the increased desire and need to continue or expand one's education, this trend is expected to continue. Barriers to the transfer of credit seriously affect the cost, time and the student initiative needed to complete a higher education program. In many cases, students that rely on Title IV student loans are forced to retake courses for which credit is denied. This situation puts an unnecessary financial strain on both individual students and on our Title IV student aid system. At a time when the postsecondary student population is increasing, unduly restrictive transfer policies burden the already stretched capacity of the postsecondary education system.

Barriers to the transfer of credit are particularly prevalent when students attempt to transfer credits from nationally accredited institutions to regionally accredited institutions. The study described above reviewed the established Transfer Credit Practices directory (TCP), which surveys the transfer policies of major receiving institutions throughout the U.S., and found that the vast majority of regionally accredited institutions are included in the directory as acceptable institutions of transfer, while most nationally accredited institutions are not. The standards for recogni-

<sup>1</sup>New Course for Liberal Arts: Intro to Job Market, The New York Times, Saturday, June 19, 2004, A1, A15.

tion by the Secretary, however, are identical for both national and regional accrediting agencies. Thus, national accreditation is not provided the same status as regional accreditation for transfer purposes despite the equivalency of their quality assessment standards for the purposes of recognition by the Department of Education.

I am personally familiar with the obstacles that some of my institutions' students have faced. One student's story demonstrates the problem. This student is a graduate of a bachelor's degree program at one of the nationally-accredited Keiser schools, Everglades University. Early last year, he sought admission to Nova Southeastern University, a regionally-accredited institution, to receive a master's degree in computer information systems. His admission was denied because he did not receive his bachelor's degree from a regionally-accredited institution. This denial was made in spite of Everglades' membership in Florida's common course numbering system.<sup>2</sup> NSU recommended to the student that he retake two years' worth of courses in order to receive a second bachelor's degree from NSU before advancing to the master's program. Many other students attending ACCSCT-accredited institutions have faced similar obstacles and we have provided specific examples to the Committee with this testimony.

Receiving institutions should not be permitted to deny the transfer of credits based on the transferring institution's type of accreditation. The Keiser Collegiate System is comprised of both regionally and nationally accredited institutions. Although they differ in processes, expectations and standards, I can attest from experience that the national accrediting agencies are as effective and comprehensive in reviewing institutional quality and integrity as the regional accrediting agencies, if not more so.

The Commission supports H.R. 4283's provisions to alleviate these transfer of credit concerns. We believe that the bill strikes an appropriate and needed balance between the federal government's responsibility to protect against waste and undue burdens tied to Title IV funds with the need to protect the autonomy of institutions to make appropriate transfer decisions based on course equivalency and student proficiency. The bill accomplishes this by requiring that both institutions and accrediting agencies adopt policies prohibiting the denial of the transfer of credits based solely on accreditation, if the institution from which the student is transferring is accredited by an agency recognized by the Secretary. The bill explicitly protects the rights of institutions to consider course equivalency and student proficiency and explicitly states that the Department shall not interpret these provisions to allow regulation in the area of institutional curricula. Finally, the Commission believes the bill's provisions to require that public disclosure of institutional transfer practices by both institutions and the accrediting agencies will assist in reducing arbitrary transfer decisions and will give students critical information as they plan for higher education.

#### *V. Reliance on Accreditation to Ensure Quality in Distance Education*

During the last decade, the development of distance education has provided an increasingly important means to achieve a postsecondary education. The growth of online education is particularly important to working adults and the more diverse circumstances of students. Today, 43% percent of the undergraduate population is over the age of 25. Many of these adults are attempting to work and raise families while earning their degrees. An online education provides opportunities to many students who otherwise would not be able to earn a degree. Over 250,000 students have enrolled for an online degree to date, and enrollment is expected to reach one million by 2010.

In expanding access to higher education, ACCSCT has emphasized that one area in which accreditation could play an enhanced role in ensuring quality is in removal of the 50 percent rules, which currently serves as a barrier to distance education. Everglades University is a small institution offering both campus-based programs and distance education programs. Despite our success in distance education and a separate rigorous and successful accreditation review process by ACCSCT of our distance education programs, Everglades is limited by the 50 percent rules in its ability to expand in this area.

The College Access & Opportunity Act takes important steps by removing the 50 percent rules barrier. In doing so, the bill requires accrediting agencies to have, within the scope of their recognition from the Secretary, the evaluation of distance education programs. ACCSCT strongly supports the bill's reliance on accrediting

<sup>2</sup>To be approved by the common course numbering system, the State of Florida's Department of Education reviews the course content, faculty credentials and outcomes of the applicant institution for overall comparability. Approved courses under the system must be accepted by all colleges and universities participating in the Florida Statewide Course Numbering System.

agencies' ability to review and monitor the quality of distance education. ACCSCT has already supplemented its own standards of accreditation to include specific provisions and principles for distance education review and is currently recognized by the Department as having distance education within its scope of recognition. Whether accrediting agencies choose to rely on separate standards or existing standards to review distance education, we believe that the legislation should focus on the accrediting agencies' capabilities to review these institutions or programs with as much rigor as they do campus-based institutions, while also recognizing their special attributes.

*VI. Conclusion*

In conclusion, the Commission strongly believes that accreditation, and in particular national accreditation, provides a strong assurance of quality for higher education in the United States. The Commission also believes that Reauthorization of the Higher Education Act presents an opportunity for Congress and the higher education community to strengthen accreditation and to increase public disclosure of information that is so important in determining the quality of our higher education institutions. I thank you again for this opportunity to testify before the Subcommittee.

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Chairman MCKEON. Dr. Crow.

**STATEMENT OF DR. STEVEN CROW, EXECUTIVE DIRECTOR,  
HIGHER LEARNING COMMISSION, NORTH CENTRAL ASSO-  
CIATION OF COLLEGES AND SCHOOLS, CHICAGO, ILLINOIS**

Dr. CROW. Mr. Chairman and members of the Subcommittee, you have already heard the scope of my enterprise accrediting agency with about a thousand institutions. I am here representing also CRAC, the Council of Regional Accrediting Commissions. Together, the regionals accredit over 3,000 colleges and universities, with a total enrollment of approximately 16.7 million students. I appreciate the opportunity to be here today.

I also want to express the appreciation of my colleagues and myself for over the past few months we have had good access to many of you as representatives and to your staff to discuss accreditation and reauthorization.

First, we are pleased that accreditation will continue to play a key role in providing quality assurance useful to the Federal Government. While honoring the distinctive and multiple missions of U.S. Institutions of higher education so essential for access for students, we will show our responsiveness to changing expectations for higher education and the public policies reflecting those changes.

H.R. 4283 proposes several new responsibilities for accreditation, the major ones of which I will address. We have recommended specific modifications of language to clarify the exact scope of some of the new responsibilities. Understanding that these modifications will be made, we have registered our support for the role of accreditation as stated in specific provisions of section H of H.R. 4283.

On agency accountability for student learning, we believe that the approach in the bill is constructive to the extent that it first continues the expectation that standards of federally recognized agencies assure that we pay attention to how institutions define and assess student learning. Moreover, it appears to recognize the breadth of measures appropriate to the diverse types of institutions that we accredit.

Second, it requires institutions receiving title IV monies to provide public information about educational performance, most of which we already require in our standards. We expect that institu-



tions will be able to provide a report fitted to their educational objectives and drawing on the variety of data they use to determine their own effectiveness.

And, third, it establishes reasonable expectations for accrediting agencies to vouch for the effective distribution of this information and to consider that information as part of their on-campus review.

On agency accountability, as we expected, the bill includes provisions for agency accountability.

First, we are to provide the Secretary with new information about our site visitors. Much of it we have it in electronic format, so we can provide it easily. We understand the Committee has accepted our proposal that instead of providing the Secretary annually with a list of all the site visitors within our data bases, we would provide more useful information by posting to our Web sites the names of evaluators that were used in the previous year.

Public disclosure of accrediting actions and the findings related to those actions is the largest single new responsibility for accrediting agencies. Accreditors have always disclosed actions, and several also give information about subsequent required reports or visits. But disclosure of information specifically useful to students in particular and the public more generally will be a challenge. At this point, the regional commissions have not agreed on a consistent template that we might use, but it is one of our highest priorities. We will need time to discuss among our ourselves and our members the components of a program of disclosure that will be accurate and fair.

On student mobility and transfer of credit, my colleagues and I support how the bill reinforces the responsibility of accreditors in encouraging greater transparency of transfer to the extent that it affirms that accreditors will continue to assure that institutions have appropriate transfer policies which now will also comply with Federal requirements about those policies. It affirms that the policies of an accrediting agency would not limit acceptable practices solely on the basis of what agency provides accreditation, and it sets a reasonable expectation for an agency to have procedures for which it reviews transfer policies during each accreditation review.

Several higher education organizations have expressed concerns about the significant new recordkeeping and reporting requirements in H.R. 4283, with a special note on those related to transfer. At a time when students in their academic careers move credits among institutions several times, we suggest that the Committee and staff would be well served to hear from institutions and those organizations their best estimates of the time and expense that such new recordkeeping might entail.

And, last, on distance education and eLearning, concern about eLearning seems to be directly related to the end of the 50/50 Rule. Very few institutions accredited by regional agencies are disqualified by the 50/50 Rule, and almost all of those that have are participating through the Department's Demonstration Project. We do not believe that the price for the abolition of the 50/50 Rule should be increased scrutiny of eLearning provided by all of our member institutions. Moreover, the quality of institutions accredited by us and now participating successfully in the distance demonstration project is evidence that even in the new emerging group of virtual

institutions we can successfully recognize the quality the Federal Government should expect of us.

We, therefore, support the approach of the bill to distance education to the extent that it recognizes that distance learning should be judged by the same standards as all learning; and we think the extra obligations asked of us about distance education are ones that we are willing to accept.

Mr. Chairman, thank you very much for the opportunity to testify today. All regional agencies would probably prefer that the 1998 section H actually remain unchanged, but most of us have engaged in discussions that help us understand why it may be changed. Where it deals directly with accreditation, H.R. 4283 reflects that our recommendations have been heard and in many respects honored.

Thank you.

Chairman MCKEON. Thank you very much.

[The prepared statement of Dr. Crow follows:]

**Statement of Dr. Steven D. Crow, Executive Director, Higher Learning Commission, North Central Association of Colleges and Schools, Chicago, Illinois**

Mr. Chairman and Members of the Committee, I appreciate the opportunity to be here today to discuss the potential impact of H.R. 4283, The College Access & Opportunity Act, on higher education accreditation. On behalf of my Executive Director colleagues, and myself I also want to express appreciation for the numerous opportunities we had over the past few months to meet with Representatives and their staffs on both sides of the aisle. Because we know that time is a precious commodity on the Hill, we are particularly grateful that so many made time to visit with us when we traveled to Washington, D.C.

I head The Higher Learning Commission of the North Central Association of Colleges and Schools. Recognized by both the United States Department of Education and the Council on Higher Education Accreditation, the Commission has a membership of 985 colleges and universities located in the 19 states of the north central region. We also are proud to count in that membership almost two dozen tribal colleges whose authority comes from sovereign nations located within those states. My Commission has accredited colleges and universities since 1913. I also serve as the vice-chair of the Council of Regional Accrediting Commissions (C-RAC). The seven regional accrediting associations accredit 3,022 institutions enrolling approximately 16,619,890 students.

The United States has a system for quality assurance for higher education unique in its ability to support the rich diversity of higher education institutions so vital to the strength and capacity of higher education in this nation. Regional accrediting agencies have assured the quality of higher education in the United States for over 100 years. For the past 50 years these agencies, originally established to provide self-regulation and shared assistance in stimulating institutional and education improvement, have also served a unique quasi-public role in that their accreditation decisions on institutions have been accepted by the federal government as sufficient evidence of educational quality to warrant disbursement to those institutions of federal student financial aid and other federal grants. For the past 15 years in particular, Congress, the Department of Education, and accrediting agencies have all been engaged in the very unique and very American effort to create an effective and trustworthy partnership through which privately held, voluntary self-regulation supports the broad public policy agenda for higher education as defined by the federal government.

During the decade since the Reauthorization of the Higher Education Act in 1992, regional accreditors have shown that they can serve as an effective shield against the types of fraud and abuse that concerned the Congress then. As part of the ongoing discussions that have occurred every five years since the passage of the first Higher Education Act, today we review again how effectively accreditation generally, but regional institutional accreditation in particular, serves the public interest through its gate-keeping role for federal funds. Although deeply concerned by the new levels of federal oversight established in 1992, most federally recognized ac-

crediting agencies have come to understand and accept the relationship we now have with the Department of Education.

Before responding directly to the new expectations of accreditation being proposed in H.R. 4283, I want to indicate for the record the hallmarks of a successful link between regional accreditation and Title IV gate keeping:

- **Effective Co-operation with Government:** Accreditation has proven to be an effective partner with the federal government over the decades, responding effectively to new federal requirements adopted in 1992 and continued in 1998.
- **Best Qualified to Assure Student Learning:** Accreditation has proven to be responsive to changing public policies for higher education through standards that emphasize access and equity and most recently, assessment of student learning.
- **Necessary to Maintain Diverse Institutional Missions:** Accreditation honors and supports the multiple missions of U.S. institutions of higher education so essential to the success of higher education and to increased access for students.
- **Saves Taxes:** Accreditation through private, non-profit agencies provides exceptional service at no direct cost to taxpayers.
- **Support Institutional Improvement:** Most institutions support the claim that accreditation contributes value to their operations and supports them as they strive to improve the quality of education they provide.
- **Provides Expertise:** Self regulation of the quality of higher education through recognized accrediting agencies is an effective tool because its reliance on expert peer review has credibility with the public and with institutions.

All of us who lead regional institutional accrediting agencies understood that legislators have expressed concerns about, areas that affect regionally accredited institutions. To this end, we have spoken with legislators and staffs not on , to explain how accreditation currently addresses many of their concerns but also to suggest as well legislative language for those concerns that legislators might determine to need explicit attention in the law. H.R. 4283 does make new demands of all of us. I should note that many higher education organizations have registered reservations about the new requirements in H.R. 4283 on institutions as well as accrediting agencies. We share some of their concerns, particularly those about the extent of new institutional reporting and record keeping included within the bill. Therefore, we support continued discussions between higher education organizations and the Committee and its staff

In this testimony I will focus on the new responsibilities H.R., 4283 proposes for accreditation. They include expectations that through our standards we will provide increased attention to student learning as well as review the capacity of board governance. We will need to provide strengthened evidence of our capacity to provide effective quality assurance for distance education. H.R. 4283 sets expectations for greater transparency in our processes and actions. It also calls for our focused attention on institutional compliance with new federal requirements regarding transfer. The bill sets new reporting requirements with the Secretary related to our site visitors as well as monitoring of the new Student Consumer Profile required of colleges and universities. Several of my Executive Director colleagues and I have recommended specific modifications of language to clarify the exact scope of the new responsibilities, and, understanding that the modifications will be made, have registered our support for the role of accreditation as stated in Section H of H.R. 4283.

I believe it fair to say that disagreements about accreditation and H.R. 4283 have less to do with what constitutes good and acceptable new activities by accrediting agencies than with whether it is appropriate for the federal government through law and subsequent regulations to require the new activities. Those of us who have worked closely with legislators on Section H of H.R. 4283 appreciate the need to show a somewhat skeptical public-and Congress-that we intend try assure that higher education accreditation serves the common good. Now to some of the details and recommendations.

#### *AGENCY ACCOUNTABILITY FOR STUDENT LEARNING*

Starting with the 1988 reauthorization that explicitly mentioned the expectation that a Department-recognized accrediting agency include within its standards measures of student learning, the federal call for increased accountability for educational performance has been heard. In fact, my Commission initiated its student academic achievement initiative that year, and we have been energetically pushing our institutions to conceptualize and implement assessment programs ever since. Each of the other regional associations, as well as our national counterparts, has made evaluation of student learning a central focal point of our work. Each of the five regional associations that rewrote their standards in the past four years placed achieved student learning at the center of those new standards.

In determining how best to measure and share documentation of student learning with current and prospective students and the public at large, the Committee appears to have taken into consideration the variety of learning goals and types of institutions in the United States. The fact is that a surprisingly large number of our colleges and universities have considerable amounts of outcome data that they use to evaluate their own educational effectiveness. For some types of institutions the data are fairly standard and provide grounds for comparison. graduation rates, job placement rates, licensing rates, and so forth. Each institution has data that are institutionally specific, testifying to an educational mission achieved but not allowing for easy benchmarking with other colleges and universities. We believe that the approach of H.R. 4283 to accountability is constructive to the extent that it:

- Continues the expectation that a federally recognized accrediting agency's standards include review of its institutions programs to define and measure successful student learning. Moreover, H.R. 4283 appears to recognize the breadth of measures interpretation of this requirement that gives discretion to the Department to interpret the law to allow for qualitative standards instead of the bright-line performance standards being called for by the recent Office of the Inspector General report (EDOIG/A09-C0014, July 2003). Therefore, we have proposed that broad language about threshold requirements for vocational and technical programs be narrowed to speak only to non-degree certificate programs. Even this change may involve such significant new institutional record-keeping that the Committee may want to consider whether the costs outweigh the benefits.
- Requires institutions receiving Title IV monies to provide public information about educational performance easily understood by prospective and current students. However, we would allow each institution to create its own report fitted to its educational objectives and drawing, as appropriate, on the variety of data it uses in determining its own effectiveness.
- Establishes for Department-recognized accrediting agencies (1) the responsibility to vouch for the effective distribution of this public information and (2) the expectation that within an accreditation visit the agency will consider the publicly-disclosed student learning data as part of the review.

#### *AGENCY ACCOUNTABILITY*

Perhaps the most significant new responsibilities for accrediting agencies are captured in new reporting requirements to the Secretary of Education and a new requirement for new public disclosure of accrediting actions and the findings behind them. While we understand the goal of the bill to ensure greater access to a wide variety of information about colleges and universities, we are concerned about the scope of information gathering and dissemination that H.R. 4283 places on the Secretary of Education. We have proposed, for example, that instead of sending the Secretary hundreds if not, thousands of names in our site visitor database, it makes more sense for each recognized agency to post to its web site the names of site visitors used by the agency in the previous year. We are pleased that the Committee has expressed their willingness to accept this recommendation.

Since most regional commissions currently have information about selection, training and evaluating site visitors on our web sites, we can readily provide the data to the Secretary. Perhaps the Department might be best served by simply using this information as well as the names of site visitors when posted to each agency's web site. We are somewhat concerned about the massive amount of consumer information the Department will need to collect and assure its currency.

Public disclosure of accrediting actions and the findings directly related to the actions is the largest single new responsibility in H.R. 4283 for accrediting agencies. All regional accrediting agencies disclose accreditation actions, and some of them also disclose required ongoing monitoring. Because for decades we have considered our institutions to be our primary if not sole audience, disclosure of information specifically useful to students in particular and the public more generally will be a challenge. At this point, the regional commissions have not agreed on a consistent template that we all might use, but it is one of our highest priorities. We will need some time to discuss among ourselves and with our members the components of a program of disclosure that will be fair as well as honest; therefore, we strongly urge that Congress signify to the Department that the template for public disclosure should not be narrowly defined in regulations.

#### *STUDENT MOBILITY AND TRANSFER OF CREDIT*

Accrediting standards hold that the institution granting degree must be accountable for the integrity of that degree. Although we also require that institutions have transfer policies that are clear to students, we appreciate the fact that transfer of

credit continues to be a matter of public concern. Although none of the regional accrediting associations has policies that limit the variables an institution should consider in determining transfer, we have come to learn that many of our members act as though we expect them to limit transfer to credits coming from other regionally accredited institutions. In recent years we have all adopted the CHEA principles on transfer (November 2000), which mark a new consensus on good practices in transfer, and we have forwarded them to our institutions for study and implementation.

My colleagues and I support how HR 4283 reinforces the responsibility accrediting agencies have in encouraging greater transparency in transfer to the extent that it:

- Affirms that accreditors should continue to ensure that institutions have clear transfer policies, but adds the responsibility reviewing compliance with new federal requirements that Title IV institutions have in those clearly-stated transfer policies the commitment to weigh more than the accredited status of an institution in determining transferability of credits awarded by it.
- Affirms that the accrediting agency itself not have policies that would limit acceptable transfer policies and practices solely on the basis of what agency provides accreditation.
- States that a Department-recognized accrediting agency will have procedures through which it reviews transfer policies during each accreditation review to ensure that appropriate policies are in place.

The law proposes that an accrediting agency also will review the consistent application of transfer policies. We understand this can be achieved through a spot audit of a random set of transfer records to ensure that decisions are not made solely on the basis of the accreditation of the transferring institution. The accreditation process cannot be expected to judge the subjective decisions inevitably involved in many transfer decisions.

Several higher education organizations have expressed concerns about the significant new record keeping and reporting requirements on transfer alone. At a time when many students move some academic credits among institutions two or more times, we suggest that the Committee and its staff would be well served to hear from those organizations or institutions themselves their best estimates of the time and expense this record-keeping might entail.

#### *DISTANCE EDUCATION AND ELEARNING*

Each regional Commission believes that it has been doing a sound job of evaluating distance education generally and eLearning specifically. We joined together just a few years ago to adopt a set of best practices that inform our institutions as they implement eLearning and our teams as they evaluate it. While we appreciate the concerns that many legislators have about this particular modality of providing education, we draw attention to the fact that on-line courses serve large numbers of campus-based students as well as students studying at a distance. In short, legislation that classifies all elearning as distance education and then calls for different regulation of it will inadvertently set expectations for what some institutions and their campus based students now treat as scheduling option. We support the approach of H.R. 4283 in avoiding such an approach, because we believe that it would seriously impair the constructive adoption of improved methods for teaching and for reaching underserved student populations.

The concern about eLearning appears to be directly related to the call to end the 50150 rule that now disqualifies from eligibility for student financial aid certain types of institutions heavily involved in eLearning. Very few institutions accredited by regional agencies are disqualified by the 50/50 rule, and almost all of those that are have been participating in the Department of Education's Distance Demonstration Project. We take no stand on the 50/50 rule, but we do not believe that the price or its abolition should be enhanced scrutiny of distance education (eLearning) currently provided by our member institutions. Moreover, we would argue that the quality of institutions accredited by us and now participating successfully in the Distance Demonstration Project is evidence that even in the new groups of virtual institutions, we can successfully recognize and encourage the quality the federal government should expect.

Therefore, my colleagues and I support the approach of H.R. 4283 to the extent that it recognizes that distance learning should be judged by the same standards as all learning. We were pleased to see that many of our views regarding distance education had been heard. H.R. 4283:

- sets a reasonable expectation that Department-recognized accrediting agencies document that their existing standards provide for effective evaluation of the quality of distance education, in the same way that is done for all types of learning. Instead of providing new or extra standards, it accepts the standard

of comparability: namely, that student learning in eLearning programs be comparable to that in campus-based programs.

- sets a reasonable expectation that a recognized agency create and implement processes that allow it to monitor when appropriate those institutions with dramatically increasing student enrollments in their eLearning programs; this seems to mirror appropriately current expectations that accreditors have set for ourselves for rapid expansion of site-based delivery.
- sets a reasonable expectation that our existing processes for selecting and/or training peer reviewers include their capacity to evaluate eLearning.
- sets a reasonable expectation that accreditors evaluate how institutions offering eLearning document the integrity of the student engaged in eLearning courses and programs. Our colleagues in the distance education field suggest that “authenticity” is a better word than “integrity” since we want to ensure that the person taking exams is the person who is receiving credit.

Mr. Chairman, thank you very much for the opportunity to testify today. We all know that good legislation involves discussion and compromise. All regional accrediting agencies would probably prefer that the Section H remain unchanged from what it is currently. But most of us have engaged in the discussions that help us understand why it will be changed. Where it deals directly with accreditation, FIR 4283 reflects that our recommendations have been heard and, in many respects, honored.

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Chairman MCKEON. Mr. Kildee leaned over and said that is a great panel, and I agree. I think your testimonies have been very good, both your written and your oral comments here. And I think that while I would prefer that we would just sit around and have a visit, this is the system that we use. So I appreciate you being here.

Dr. Keiser, one question. We have been criticized—or the authors of the bill have been criticized for the transfer policy that we put forward, that we shouldn’t stop transfers based solely on who is doing the accrediting. Members of Congress have documented evidence that some institutions of higher education accredited by regional accreditors refuse to accept the transfer credit from schools that are nationally credited. You made comment in your oral testimony that you have a story about that. How widespread or pervasive is this problem? Can you provide us with any examples of how students have been affected by decisions to deny transfers based on accreditation? If you could speak to that provision in the bill that attempts to address this issue.

Dr. KEISER. It is a problem, and it is a problem that is not just limited to Florida but to the 50 States. In many cases, it is not based on malicious intent but just based on a lack of understanding of the comparability of accrediting agencies, whether it be regional or national. In some cases, it is just between institutions and interest to maintain a specific type of control over the number of courses taught by institutions.

We had an example—and I submitted it in my written testimony—about a student of ours who went through our baccalaureate program at Everglades University. Everglades University is a full participant in the common course numbering system of Florida, which requires that each of the courses that Everglades offers is evaluated by an independent staff of both public and independent educators who review curriculum, review course content, course objectives and faculty credentials and the standards are comparable that the State requires as to the southern region’s requirements. Yet in the letters that I submitted to you, Nova Southeastern University just wrote a letter to the person dismissing the

institution's courses, the comparability of courses and said, because it was accredited by ACCSCT, we could not accept their credits and suggested that the student take all the courses over again. You would be accepted, but you have to take all the courses that you took already over again. This is a waste of resources, especially that student, a title IV participant who would have to go back and repay for courses that he already took; and we feel this is inappropriate.

Florida—just as an aside, the reason the common course numbering was created in Florida by our State legislature was because the same problems exist between community colleges and State universities. So it is not just the national, regional. It is a problem for students in making sure that transfer of credit is available to them in comparable and appropriate times. We are not trying to force on students, but we believe the Committee has taken a very reasonable approach to this in at least the disclosure as to the policies and clear-cut disclosure of the policies.

Chairman MCKEON. Thank you.

Dr. Davis challenged the idea of letting the States do accreditation. Could I hear from the rest of you how you feel about that? I guess Dr. Martin took the opposite position. Could I hear from the rest of you how you feel about letting the States also participate in accreditation?

Dr. Erwin.

Dr. ERWIN. Well, the current system is both the accrediting organizations and the States ensuring quality; and I haven't seen a conflict between the two. I think we have seen the accrediting organizations evolve over a period of years and become a bit more specific and strict in focusing on learning outcomes than probably many of the States, but I really don't see a conflict there. I think the accrediting associations, as I said in my testimony, have had a positive role.

I think there has been some unevenness in terms of the institutional teams. I think they are moving more toward data and away from peer review. Let the data speak and not so much someone's subjective judgment about what the students are learning. But I see that has been evolving over a period of more than 10 years.

At least the regional accrediting associations have been going in a positive way. I don't know that I would replace their role with the States. States sometimes have some specific goals in mind for economic development that maybe an accrediting association would not.

Chairman MCKEON. Thank you.

Anybody else wish to respond?

Dr. MARTIN. We are very much for allowing the States this option. Dr. Erwin slightly misspoke, and I think others may slip into this language. We are not talking about replacing private accreditation. We are simply saying that if colleges want to go to private accreditors as they always have, fine, but we should restore the situation where it was prior to 1991 where the world didn't fall apart and accrediting went on just fine, but States were also an option.

I have to tell you, college presidents, board chairmen speak to us and say that they are actually afraid that if they do the kind of bold, innovative things that will rock the boat within their institu-

tions that they feel should be done that they will get into trouble with the accreditors because there is such a kind of interlocking network there; and some have reported experiences with accreditors along those lines.

I have to tell you that this Committee should understand that I have not yet found a sitting college president willing to come forth and talk candidly about this issue, because the accreditors have a lot of power over them. There are certainly ones that will say what their colleagues would like them to say, and I don't mean that they don't genuinely agree with that. But that is a real concern and you have to think what an awesome power this is. Accreditors like to talk about it being accrediting and it is all private, private, private. Well, the power they have is not private. They control \$60 billion in Federal funds; and the way it is today, a college cannot survive without access to those student loan programs. So they have a power this Committee, this Congress does not have. They can close down a university. You could not do that. The Secretary of Education could not do that. This Committee can't do that. Accreditors can do that.

Right now, they are threatening to close down Auburn University. What grounds? No educational issues have been raised. It is because the board is overly involved in the athletic program. Maybe that is an issue to be addressed, but is that why the institution should be closed, with this Congress trying to make such an effort?

So the accreditors have this enormous power; and one way to put that power a little bit in a box is say, well, let us have an alternative. If you want to be bolder than the accreditors are comfortable with or if they are just being unreasonable, there is at least a second alternative you could go to. I think that be would be very healthy.

Chairman MCKEON. My time its up. We will come back to this. Mr. Kildee.

Mr. KILDEE. I think I will come back to it right now. This is a great panel, and we have point and counterpoint by Dr. Martin and Dr. Davis. I think that is helpful to this Committee.

Mr. KILDEE. You mentioned the State option, Dr. Martin. And Dr. Davis took a different position on this. In 1992, when I was serving on the full Committee, we grandfathered in the State accreditation. I don't know how many States, there are not many.

Dr. DAVIS. Just New York.

Mr. KILDEE. New York. I was going to say, I was pretty sure it was just New York. New York is the one. Good staff right here. So New York is the one. Might there not be a different agenda—start with you, Dr. Martin—for the State in accreditation than, say, an agency like North Central? Could there be a different agenda, and maybe a university would be tempted to move toward one rather than the other?

Dr. MARTIN. Yes. We have to look at the agendas here. You mentioned North Central. I have to say some schools are now being hassled by that accreditation because the Association doesn't like their mascot. Well, that is not what Governors and State higher ed commissioners are thinking about. What they are wanting is what Dr. Erwin was talking about; many are looking at performance



budgeting. Can't we reward quality and excellence and innovation? Can't we find ways to determine which ones are educating students? Can their graduates write? Reward that. That is the emphasis we find.

If you just ask as a matter of fact—and, you know, you can go look at the Chronicle of Higher Education and see what the different States are doing. This is what they are doing. They are emphasizing performance, learning outcomes, accountability, cost effectiveness. And I have to say, it seems to me that the existing accreditors, they inch along in this direction, but they kind of have to be a bit dragged, kicking and screaming. Well, why not at least allow us an option, people who really seem to care about these outcomes?

Mr. KILDEE. Dr. Davis.

Dr. DAVIS. Thank you. I appreciate the opportunity to respond to that. I can't help but look around the room and wonder where all of them are. Because "they" is me, all the other presidents. If you are talking about government, it is you and us. And so often we do this, we put these labels of saying they are doing all this to us. But in effect, reasonable accreditation is peer accreditation. We help shape that. We work at that all the time. It is not an easy process, not even a tidy process. I compare it a lot to what goes on in both legislatures and in Congress, a lot of debate, a lot of difference of opinion. But it is not a they-and-us. It is all of us working together to try to achieve the highest standard we can for program quality, for accessibility for students, for transparency for what we do.

There is very little that is not known about our institutions, in truth. If you check with the IRS, with IPEDS, with what we report to the states even as independent colleges and universities, we are basically open books. And you know what? I don't dislike that. I find that much of what we do should be open to the public. But it should not be legislated. And we should be very careful both the at State and Federal level how far we go with doing that, as opposed to encouraging, having public hearings to cajole and direct, even having the Department of Education work with us in studies to determine where we have shortfalls.

But we should be very careful, in my opinion, about adding a new process, particularly at the State level, with 50 different opinions about how it is to be done. I was a legislator; I know the number of demands on the people's time. And the ability to know enough about a subject like accreditation is very limited. So I would urge caution with adding any other State to that list as an accreditor.

Mr. KILDEE. Dr. Crow.

Dr. CROW. As a purely practical matter, we weren't very concerned about it, because we couldn't think of a State that really wanted to do this. To be quite honest, if any of you have watched the New York Board of Regents try to maintain its status through the Department of Education, I don't know why a State would want to do it, because the regulations are really set up for accreditation as a private voluntary organization. And to get a State agency in there, and to try to look and act like one, is turning out to be very difficult work. So I simply didn't think that there was—it was there. If a State wanted to do it, fine. I doubt if very many

institutions would choose it as a gatekeeper, and I think they would find working with the Department to be an incredible hassle.

Mr. KILDEE. So you didn't really see States lining up for this?

Dr. CROW. I can't think of a single State in the North Central region that is going to line up to become its own accrediting agency—or to provide its own accreditation.

Mr. KILDEE. I thank the three of you for your responses.

Chairman MCKEON. Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman. A very, very interesting hearing. I suspect I may be the only one, or one of the few in this room, that has suffered through the accreditation experience. Fortunately, I wasn't in charge, but my closest friend at our institution was. And I have to say it was a very healthy experience. But not so much the actual site visit and discussions, but the 2 years of preparation for the accreditation visit at the institution at which I taught, at that time; Calvin College, Grand Rapids, Michigan took it very seriously and did a complete review of the curriculum of college, et cetera. And that was very helpful. I was, however, not impressed with some of the issues that were addressed by the accreditors: the matter of counting how many books were in the library on certain topics and things of that sort.

But I guess what did concern me was an issue that has been mentioned. I am not sure that they really looked at the quality of the product coming out the door at the end of 4 years, and I wish there was some way to do that.

And then, some of you have mentioned this already, we get some measure with the GRE exam, but that is very specialized and it is a small number of—relatively small number of people that take that.

But it was clear to me that there are some institutions that do very well and some that do not do very well. And rather than a simple pass/fail, which is what you have with current accreditations, I think it would be very useful to have—since we are used to using As, Bs, and Cs, give rankings to institutions as part of the accreditation process. That would be a real guide to the students, to the parents, and so forth. But it also would be nice to have good a national collegiate assessment tool that you can assess the quality of the students, what they have learned, and some overall sense. And if any of you have any comments on that, I would appreciate hearing that.

But let me bring up another point that concerns me. And that is, if we get a number of different accrediting agencies, as we discussed, the States and others, wouldn't the poorer schools simply choose the easiest accreditation process rather than choosing the more stringent one? That is another concern.

And a final concern is distance learning. I have—even though my field is a technical one, and I have been using the Internet for years and I think it is wonderful, it bothers me that distance learning is somehow considered equivalent to attending class, going one on one with faculty members. And perhaps in my field of physics, even more important, students learn a great deal from each other because they work on the various assignments together. And that is missing with distance education.

So there is a potpourri of issues that I have raised here, and I would appreciate comments from any of you about any of those points. We won't have time to do all of them, but fire away.

Yes, Dr. Davis.

Dr. DAVIS. I will be glad to speak briefly to the first point about outcomes, education. In the Southern Association of College and Schools, especially with my years of involvement there, probably the last 10 years have shown a major effort to start to develop ways of assessing outcomes. And we use the terminology "institutional effectiveness" to deal with that. And a lot of the institutions really chafed under that for the first 4 or 5 years until they began to realize the benefits of actually assessing outcomes of student educational process.

Today, it is very difficult to be accredited by the Southern Association of College and Schools unless you have a well-defined institutional effectiveness plan that has a way of assessing the outcomes of every single major at that institution.

If you then add on top of that specialized accreditation, which we do in a large number of fields, I think I indicated I have 16 at my institution, they even go further with learning outcomes in those specific areas that they are accrediting. And we are making progress in that area. But it is a very inexact science as compared to physics. And I think there is going to have to be work that will have to be done for quite a few years before we reach that point. But it is happening. And I believe it is happening across the country. I know it is happening quite effectively in the Southern Association.

Mr. EHLERS. I believe it essential to happen in view of the great inflation mentioned and the Mickey Mouse courses that I think Dr. Martin mentioned. We certainly have to do it.

Dr. Keiser.

Dr. KEISER. In the national accrediting arena, outcome, evaluation, and performance is absolutely critical in terms of especially the career colleges. Institutions are measured on a very specific set of benchmarks as it relates to retention—that is, students' graduation rates, placement, which is how well they are—once they achieve their educational objective, how well they do in the field—and then pass rates on national licensing examinations.

It is my belief as well as the Commission's that it can be done and it is being done to use very specific measures. Now, the measures are not bright lines to each institution. It is comparable institutions, comparing their data, and trying to improve the institutions by having a measure of what a standard deviation is. So we look at very clearly what the peer groups are doing, and how do you improve? And you have a benchmark in national accreditation.

Even in the regional accrediting arena, there has been significant improvement in asking us to measure the learning. And in our institution, we measure through use of pre- and post-tests, what actual learning occurs.

And if I may talk about the distance learning, I would gladly invite you to sit in on one of our classes. And what you were saying is that students learn among each other in the classroom. It is even more prevalent in an effective interactive distance learning environment where, using thread of discussions in chat areas, students

get to know each other better than sitting in a classroom, with the person in the back falling asleep or not paying attention in the classroom. Everyone has to participate and be involved. And if you have taught like I have an on-line class, it is exciting learning. Very exciting learning.

Mr. EHLERS. My time has expired. But may I just ask Dr. Crow a quick comment on distance learning? You represent a very venerable accrediting institution.

Dr. CROW. And I would repeat much of what Dr. Keiser just said. Those who know how to engage students in a distance-learning format, just as you know how to engage them in any classroom setting, actually find ways to get students, the kind of learning community there, that at times simply can't be duplicated in a large classroom.

And so I would agree that good distance education—and that is what we are after, good distance education—is a very effective way for students to learn. And it is also a very effective way for teachers to help them learn.

Mr. EHLERS. Thank you for giving me a few extra minutes, Mr. Chairman.

Chairman MCKEON. Thank you.

Mr. Andrews.

Mr. ANDREWS. Thank you, Mr. Chairman. I also would like to thank the panel for their outstanding preparation and their time this morning.

When it comes to transfer of credits among institutions, we want to foster a policy of high quality. We never want an institution to be compelled to accept credits that would fall beneath its own high standards. But we don't want to encourage discrimination either. And Dr. Keiser, your story about the student at Everglades who was denied transfer of credits to another institution accredited by a regional agency, was that student given any other reason other than the fact that the institution from which he transferred was not regionally accredited?

Dr. KEISER. In the initial letter—and you should have a copy of the letter in the material—it just clearly states: We just do not accept credits from national accrediting agencies. And that was the only reason. And I pursued it. It was very frustrating to our institution. And they would not relent.

Mr. ANDREWS. Dr. Davis, it is great to see there is life after being a legislator. I congratulate you on your presidency, and I appreciate very much your unique perspective as someone who has sat on both sides of the table.

In your testimony, you say that, about the provisions of the Chairman's bill that deal with transfer of credits, that the most controversial aspect of the actual language of the bill goes well beyond what is necessary to achieve the purpose of—and here I am paraphrasing—of having more transparency in transfer of credits. And then you go on and say that the bill also sets standards upon which transfer decisions should be made.

I want to read to you from the language of the bill, on page 166 of the bill, section 495, language that says, nothing in this review—and by which they mean the review by the accreditation agency. You understand the way this is set up is that you now would have

to have a policy that makes transfer of credits more transparent, more readily available. And then when they talk about the reviewing agency that is looking at that policy, the bill says: Nothing in this review shall restrict the right of the receiving program or institution to determine on any other basis—meaning other than who did the accrediting—or on a combination of that basis, together with other bases, the credits the receiving program or institution will accept for transfer.

Now, how is it, then, that there is such an abrogation of the receiving institution's opportunity to set the standard? I don't understand your testimony.

Dr. DAVIS. I think there are a couple of issues there. One is I don't think any of us argue very much about the idea of having a written disclosed policy about transfer of credit. I think as long as we are allowed within the institutions to determine the degree credibility, which is related to what courses are accepted toward that degree—a very important factor, because as you evaluate that, you can have a name on a course but the actual content and the syllabus can be quite different when an institution receives that information.

The whole area of transfer of credit, because there are so many students transferring today, region to region, regionally accredited to regionally accredited, specialized, and also even nationally accredited, that it is one of the great responsibilities within an institution to determine what really relates to a degree. And more often than not, today what is happening as we evaluate those credits is trying to give some credibility to a degree.

Mr. ANDREWS. But, Dr. Davis, in the case we just talked about, shouldn't the receiving university have had to—

Dr. DAVIS. They should have responded.

Mr. ANDREWS.—meet some—more than respond. Shouldn't they have to say, look, there was something deficient about these courses that you want to transfer, and they just don't measure up to our standards? Shouldn't they have to do that?

Dr. DAVIS. I think they should not base it strictly on accreditation. I do not disagree, But I do think—

Mr. ANDREWS. So that is what the bill says. How would you then differ from the bill?

Dr. DAVIS. Well, one of the main differences that I think is extremely important is all the data collection that is being proposed about the percentage of what you accept and do not accept, that is going to be one huge burden of cost within an institution. Already—I hardly can describe for you the number of people that is required to actually determine whether or not credits are appropriate and should be accepted toward a certain degree.

Mr. ANDREWS. But aren't those data you are already collecting?

Dr. DAVIS. No.

Mr. ANDREWS. Tell me what happens. If someone receives a transcript of a student, and the student says I would like all my credits accepted, and someone in some office, the provost's office or whom-ever, says, no, we are going to accept these 60 and reject these 40; isn't it just a matter of keeping track of the 60 and 40?

Dr. DAVIS. It sounds very simple; but one student may have four transcripts, one student may attend three or four institutions. And

when you start collecting that data and then putting it in formats that you are oftentimes asking for, it is a burden on the institution.

Mr. ANDREWS. But it seems to me, by definition, you are already collecting those data, because you are making an internal decision about which credits to accept and which credits not to accept. You must have a record somewhere of what you have looked at. Isn't it a matter of simply formatting the record and disclosing it?

Dr. DAVIS. It sounds simple, but it is not simple. I can assure you.

Mr. ANDREWS. I would be curious to hear why.

Dr. DAVIS. It is because of the volume. It is because of the volume of transfer credits that are involved. It is because of the complexity of the number of different kinds of courses that you are evaluating—

Mr. ANDREWS. But don't you do it now?

Dr. DAVIS. To meet general education, to meet specialized education.

Mr. ANDREWS. But you are already doing that now, Aren't you?

Dr. DAVIS. I won't admit that it is simple, because it is a complex process, and it will be made more difficult by what you are proposing.

Mr. ANDREWS. I am not asking you to say it is simple. I am just asking you. You said the data collection was a burden. It seems to me you have already collected the data to make your own institutional decision about which credits to accept and which to reject. It is just a matter of to whom you disclose the data, isn't it?

Dr. DAVIS. I respectfully disagree with you in terms of what is required to provide that information. Even if you are making a record of whether or not you accept a credit, it is not easy then to put that in the format and make it available for public disclosure, or for someone to understand, because of the complexity of transfer credits.

Mr. ANDREWS. OK. Thank you very much.

Dr. DAVIS. Thank you.

Chairman MCKEON. And I thank you very much.

What the letter said is that transferred credits earned at an institution not accredited by a regional accounting body such as North—is unable to accept.

So if you take that kind of a policy, it is very easy to just say the credits are no good, and the student pays the price.

Mr. Osborne.

Mr. OSBORNE. Thank you, Mr. Chairman. I would like to thank the members of the panel for being here today.

I was interested in many of your comments. Dr. Erwin, I think you mentioned that there is a void at the collegiate level assessment of learning. And I certainly agree with you in that regard. And I just wondered if you had any thoughts as to how this might best be accomplished. You mentioned the NAPE test, which is at the secondary education level. And we obviously don't have anything like that at the postsecondary level. And do you have any thoughts in that regard as to how this might be undertaken?

Dr. ERWIN. If you could ensure that there would be an evaluation process where there would be some information available—I mean, I listened, and a lot of the decisions you are trying to make right

now about whether distance education is effective, whether transfer credit is effective, whether any new instructional approach is effective, the only way to answer that is to have a consistent measuring instrument, and then where you will set standards and say we would like to see students perform at this level for the college-educated person. And then it becomes an empirical question.

But in terms of the Section 1025, I would like to see perhaps that counsel make some specific action-oriented steps to move us toward a more consistent evaluation policy where each institution, for example, would collect, in a programmatic way, student learning data about general education.

Mr. OSBORNE. Are you advocating some type of a national test? Because it seems to me if you are going to compare—if each school does its own evaluation, you really are going to have a hard time. Like when you mentioned the NAPE, you don't have anything like that.

Dr. ERWIN. Dr. Osborne, I think the question you all have to answer is do you want to compare institutions. I think you all have to answer that question first. If the answer is yes, you need a common measuring device. It is just like you would have to ask the same question within a given State: Do you want to compare the institutions within a given State? And if you want to, you are going to have to have the same yardstick. You can't have one yardstick over here in metric and another yardstick in the English system and try to compare those easily. There is a lot of error involved already in any kind of test, because there is a lot of human error involved in any measuring device of human abilities.

Mr. OSBORNE. Well, I agree you need a common standard, certainly. And having been in a university for a lot of years and having looked at a lot of transcripts, I saw tremendous differences in what we were getting out of one school as compared to another. And you are a little concerned about the overall quality.

And, Dr. Martin, I guess I have a question for you. You mentioned the lack of any core curriculum, and that so often students graduate without much or any English or government, math, science, economics. And would you advocate a core curriculum being a part of a college degree?

Dr. MARTIN. Well, absolutely, Congressman. You know, if we really cared—sometimes I feel the problem with higher education, it is successful, of course, in so many ways, but you feel there is a lack of central passion about making sure the students are well educated. Because, really, I don't know any 40-year college that doesn't have it as a general goal that students be able to write well, for example. Well, then why don't they all test and see whether their seniors can write well? I often ask college presidents, do you do anything to find out if you are succeeding? It is as if General Motors put out automobiles and never tested one of them.

And, well, they tend to give me the process, saying: Oh, we have got a writing center, we have got this and that. We have got these various inputs. Well, do you know if they are working?

And this is exactly—it is one reason I am so and my organization is so passionately for the State option, is this is exactly the kind of question a lot of the States are asking because the parents and

taxpayers are asking: Can the graduates write? Do they have the quantitative skills? Easy to test. Why not?

Mr. OSBORNE. Well, it does seem—when you listen to people in the industry, the biggest complaint is inability to write and communicate. And in almost every job you have to have some ability.

The last question. Dr. Davis, you mentioned that we have the best higher education system in the world. And I guess in some ways that is true. But I wondered how you arrived in that conclusion. What would your definition be of the best in the world? We certainly have a lot of people being educated, but is—and this is a tough question.

Dr. DAVIS. That is always a dangerous thing to give a president the chance to say that.

I have spent 22 years as president thinking perhaps I might serve as much as 5. And that 22 has given me a wonderful perspective to look at the changes that have occurred in higher education, because most of you know that the tenure of a college university president is 5 to 7 years.

I have had a chance to travel in at least 20 countries around the world, to work with at least 32 different institutions scattered from Thailand to Japan to South America to Africa, and I have not seen a better system anywhere in the world, anyplace I have been, as far as the creativity, as far as the diversity, and as far as the basic skills set that our students have.

I will give my colleague Dr. Martin credit, he can pick out one or two examples of the failure to do something within an institution and condemn the whole system, but our system is the best in the world. And you—why would students from all over the world seek to come here the way they do today if it was not the best? I will tell you what, they are discerning customers. They know we have the best system in the world, and they want to come. That is the best judge I have of having traveled and seen, and to hear from those students.

We have students from more than 40 countries at my institution, for instance, that judge us every day. And I thank you for the opportunity to share my personal perspective on that one.

Mr. OSBORNE. Well, thank you. I am sure there are a variety of reasons why they want to come here, but maybe we do have the best. I hope we do. I yield back.

Chairman MCKEON. I thought that was an excellent question, because many times many of us say we have the best. And I don't know what we are actually measuring it against. I don't think Dr. Martin said that it is a failure, and I don't think he picked out one or two.

Dr. DAVIS. And I didn't mean—

Chairman MCKEON. Just because we say we can do things better doesn't necessarily mean it is a failure. And Mr. Kildee asked if he could make a comment on that.

Mr. KILDEE. Just to comment. I really—you know, looking at our trade deficit, one of the great things that we export is higher education. And I see that in Michigan, at the University of Michigan, Michigan State, Wayne, Kettering, different type, public and non-public universities. It is really one of our good exports, higher education. Thank you.



Chairman MCKEON. Thank you.

Ms. McCarthy.

Mrs. MCCARTHY. Thank you, Mr. Chairman. And I thank you for the panel. It has been very interesting. And all the questions I had, some have been answered, others have been rewritten. But I will say, because I do spend an awful a lot of time in my universities and I have had the privilege of going overseas and seeing universities in other countries, and I have always believed that our students are the best because they are well rounded and they have the opportunity to learn so much in different areas and come together.

Free thinking I guess is the word that I can think of. And I think how we can measure that is on how well our students do when they go into these big companies, and our companies are doing well. So I think that is a good measure right there.

But going back on to the issue. Dr. Davis, you said it would be a burden on schools to keep track of data related to credit transfers. Isn't it a tremendous financial burden on students to have credit denied out of hand just to be—just because of the accrediting agency? But I want to follow through with that, too. And I will go back to Dr. Martin, if the both of you could answer this.

The question to follow up on the State accreditation: What if any appeal process is there for a school which is denied accrediting or whose accrediting is revoked? Did you hear me?

Dr. MARTIN. I didn't hear the end of that.

Mrs. MCCARTHY. It is my New York accent. Oh, and that is the other thing, because New York already has this, so why aren't we doing what New York does? So, basically, it goes: What if any appeal process is there for a school which is denied accrediting or whose accrediting is revoked, you know, taken away? Which led back to your testimony.

And if I can throw one more in, because this is important to me. When we have the transfer of credits, my special concern for the bill would do away with specialized accreditation, for example, the nursing accreditation. Being that I am a nurse, I want to know how that is going to be handled as far as with this bill. And I yield back to the panel.

Dr. MARTIN. Well, within the accrediting process there are appeals procedures; schools get warnings, placed on probation. There is a back and forth. In the end, these things often end up in court, where the school being threatened with deaccreditation is claiming some illegality took place. Of course, that is very expensive and cumbersome. But the accreditors in the end have sole authority over whether to close—in effect, to close the school by withdrawing accreditation.

Ms. MCCARTHY. Dr. Davis.

Dr. DAVIS. Again, I have had the experience of sitting at all levels of this at one time or another. An institution actually has the right throughout the process of peer accreditation to respond to questions that will lead to a status change for them. And they even can appear before panels of the Commission to respond to concerns that have been raised by the visits to the campus. If then the Committee, which votes on whether or not to approve their self-study and the results of their visit—which I served on that panel as well—they can appeal that then. And there is an established proc-

ess. And after about 10 years—I have served on that appeals panel as well. Not for the same institutions that we acted or otherwise—and that process follows due process. Attorneys are present. There is a long involved process for an institution before they are ever rejected for membership.

But I will say this to you. Institutions have been denied membership because they did not measure up to the standards. And that to me establishes the fact that the system works.

The other question you asked about was specialized accreditation. I am hoping, as I read the bill—and I have to admit that I still do not fully understand it all, and the Chairman has instructed me already on one or two items. Specialized accreditation I don't think is going to be harmed by this, because that is a voluntary form of accreditation that institutions choose: I voluntarily agree to invite 16 specialized bodies to come and certify our program, so when our students want to be licensed, they are able to sit for licensure exam and be a professional. And I think those are wonderful additions, to be quite honest with you, to regional accreditation for institutions that are good and strong.

Mrs. MCCARTHY. And can we go back to—go ahead, Dr. Keiser.

Dr. KEISER. Well, in the national, similar to regional, it is a very special process. For a school to lose its accreditation, it will have many opportunities to respond to the concerns that the Commission has, both in writing and in—eventually in a presentation before an appeals panel. So when a school is removed from accredited status, it is a very stringent and—and due process is protected at all times.

In the terms of specialized accrediting agencies, our institutions have—we have a total of 16 distinct accreditations. It is voluntary, it is very cumbersome. But the ultimate is to give our students that additional recognition. And that is why they are all voluntary. Some requirements for practice require accreditation, like in terms of x-ray technology or things like that. But we—you know, we invest in that process, one, to make our programs better, and, two, to give our students the ability to have recognition by the community. So it is a—you know, it is a burdensome process, but it is valuable.

Dr. MARTIN. If I could, Congresswoman, just to make it crystal clear. There is due process, but it is due process within the accrediting association that is really in the role of judge, jury, and prosecutor, but conducting those roles under certain rules that are well known and well established.

Mrs. MCCARTHY. Thank you very much.

Chairman MCKEON. Thank you.

Mr. Castle.

Mr. CASTLE. Thank you, Mr. Chairman.

As the Chairman knows, I head a Committee that deals with K through 12 education—Subcommittee—and No Child Left Behind, which I thought was going to be the toughest piece of legislation. But the more I look at this higher ed bill, the harder I think it is. And I just give you credit for trying to work through this. You and Mr. Kildee deserve gold stars for this one. This is really tough.

I have some general comments and then perhaps a question or two. I mean, I agree with everybody else that has spoken about

this, that we probably have, collectively, the best higher education system in the world. That doesn't mean that we don't have flaws, problems, and some doing better than others.

And, to me, there are certain inherent problems. I think it has become too expensive. And I think the rate of increase in expenses is, frankly, absurd. That is not a subject of this hearing, but I just can't resist saying that with all of you there. I just think something has got to happen about the cost of higher education in America. And we as a Federal Government just can't increase Pell Grants and other things and loans, et cetera, in order to accommodate that. There has to be—something has to be done.

I also think it is not transparent enough. You probably worry about what is the U.S. News and World Report when they come out with their various ratings, et cetera, what are they going to say, or whatever. But I think the reason people are interested in that is it really gives you sort of a broad—whether you agree with all the categories or not, it gives you sort a broad interpretation of what is going on in colleges. People don't see that. And that is why there is so much readership interest in that.

Most Members of Congress have college degrees, but frankly, most of us didn't do it by distance learning. So we talk about distance learning, we get a little confused about an area that we aren't really used to in talking about that. And we are not really, frankly, used to for-profit institutions in education. That is new to us as well. Not to suggest that any of those things are bad. Or even career education, per se. It is more—to me, it is more specific than it used to be and it is more prevalent than it used to be in some form of higher education.

And now there is this accreditation confusion. I just, I thought, sort of basically understood accreditation until I started preparing for this hearing. This is the most difficult and confusing subject I have ever dealt with, and it is going to take a lot of resolve, I think, for all of us to work out something that will work well enough.

But I actually want to go back, Dr. Erwin, to what you said early on actually. And it is something which I think you are doing internally rather than externally, and that is that I don't think there is enough focus on education in higher education right now. And that worries me a lot. I mean, frankly, this whole business of grade inflation, of reduced weeks of the year the kids are going to school now, the Fridays off, the lack of discipline in terms of what is demanded of the students, has really started to bother me a great deal.

And I was very interested in your comments in terms of all that you are doing with respect to looking to the schools and the—I am sorry, the students in the first year they are there, and then thereafter, to see how much gain they have really made. I assume that that is an internal mechanism? Or you do it for the process of accreditation? And do you know of other schools which are doing it? Because I think it is frankly, something that we need more of in terms of looking at how our colleges and higher education in general is really doing.

Dr. ERWIN. We go way beyond what is required. There are very few institutions that are probably out there doing as much as we

are. But you are exactly right, we do—we have two broad analytical strategies. We look at students, we test them when they come in and almost 2 academic years later to see how they change over time. Some people refer to that as value added to the institution.

In some other areas, we also set a standard. When I think of standard, I am talking about a standard on a particular assessment instrument. And we say that when students have these courses they should be performing at this level. When we won't let them in some areas, like information literacy, which is the ability of people to find and access information, whether it is on the Web or any kind of electronic data bases, we want them to be able to meet that standard before they can go on to the second year of their undergraduate experience.

Mr. CASTLE. Not to interrupt you, but my time is obviously running out. Do you make decisions about the continuance of a particular course of study as a result of what you learn from that, or how a particular professor is doing from looking at that? Do you actually make decisions from it?

Dr. ERWIN. We have not used it for personnel evaluations for faculty. We have used it for student progression. They have to know this material or do this skill before they move on. But we have not used it for individual faculty evaluation.

Mr. CASTLE. Well, I am concerned about the proliferation of offerings out there by our schools. I am a believer in sort of a tighter education system, and make people like me take math courses and things like that. I think it is a good discipline. Does this help you—or if you know about other colleges, does it help you in terms of perhaps elimination of some of those rather esoteric, perhaps unnecessary, courses?

Dr. ERWIN. Well, what we do is in our general education program, we require that the courses that are initially in the curriculum, they have to have positive data, positive student learning data, for those courses to remain part of the option in the general education curriculum. So, I mean, that is part of the institutional policy. No one has told us to do that outside the institution.

And so what has generally been tradition in higher education is once you have a course approved in a particular curriculum, whether it is for general education and the major, it kind of tends to stay there for a long time, if not forever. So we try—we took apart, abolished our entire general education program—which, at my institution and typically at most institutions, is one-third the undergraduate curriculum—and we rebuilt it a block at a time, trying to—very deliberately deciding what we wanted the college-educated person to know to be able to do.

So, yeah, those courses—if the students are not learning what we want them to learn in particular courses, those courses cannot be used to satisfy requirements anymore.

Mr. CASTLE. Well, thank you. And I thank the entire panel. I am sorry I didn't have a chance to ask the rest of your questions, but I think the Chairman would have had a fit if I started to do that.

So I would yield back to the Chairman.

Chairman MCKEON. Thank you.

Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chairman. I have a lot of questions, but I want to maybe get some quick responses on a few questions that I do have.

Dr. MARTIN. Can you provide to this Committee the school that wasn't allowed to be credited because of its mascot? Do you know which school it was?

Dr. MARTIN. The controversy. One is University of North Dakota, and another at the University of Illinois.

Ms. MCCOLLUM. And they were going to be refused entire accreditation by every—regional and national accreditation?

Dr. MARTIN. I just know that they are being given trouble by the accreditors over those.

Ms. MCCOLLUM. Oh, you know—

Dr. MARTIN. There is controversy in the papers.

Ms. MCCOLLUM. That was a very broad statement that you made.

Dr. MARTIN. I used the word "hassled," I believe.

Ms. MCCOLLUM. Well, I won't get into arguing. Words are important for choice. You also, after we heard one of the gentlemen, part of the panel, saying that there is due process, going all the way through to due process within our courts, you, Dr. Martin, also then came back and said that these accreditation bureaus—there is no court—you said they were judge, jury, and everything?

Dr. MARTIN. The process is entirely within the accrediting organization itself. It is not in any kind of an appeal to an independent body outside the accrediting organization. So the very group bringing—threatening your accreditation is also conducting the appeals process and deciding whether your plea should be upheld or not.

Ms. MCCOLLUM. And so any gentlemen on the panel, you agree with that? Or is there another, is there another appeals process and we are not having full disclosure here? Gentlemen?

Dr. DAVIS. There obviously is a different appeals process. Different individuals are involved in that appeals process. And, again you remember, this is a peer process that we are talking about. And due process is followed throughout and with all the rights, as I said, of attorneys present, records kept. And then the final appeal body—and most people don't object to this, we all recognize this—the courts are the final arbiter if we can't solve our own problems.

Ms. MCCOLLUM. And, Dr. Davis, what courts are those?

Dr. DAVIS. Those are the courts of the land, both State and Federal, depending on what the violation or the charge might be.

Ms. MCCOLLUM. So it isn't all internal?

Dr. DAVIS. No, it is not.

Ms. MCCOLLUM. Thank you.

Dr. Keiser, I fully understand the frustration about not having credits transferred. Minnesota just recently—well, not that recently—went through and tried to do it seamless, for parents, for students. But people still have to have personal responsibility in the college that they choose, the courses that they choose if they are looking to transfer.

Personal responsibility. When you haven't been able to get your programs regionally accredited, were you given a course of action to take in which to have your programs accredited?

Dr. KEISER. In this particular case, the school is a nationally accredited institution. Yet, it is also part of a Florida common course numbering program where each course was evaluated by groups of educators, including from State universities and independent institutions, to determine comparability. Those credits would have been and ultimately were able to be transferred into a public university. The fact was, there was no evaluation process other than the fact who accredits the institution. In this particular case, it was ACC-SAT, and yet one of my institutions which did the freshman/sophomore, which is regionally accredited, was automatically accepted. So it was very arbitrary and very capricious. And there is no appeals process to institutions like that, at least not at the institutions I discussed, because in fact I talked to the president, talked to the president personally as a personal friend, and, you know, there was just a stone wall.

Ms. MCCOLLUM. I just have another second here left. And I find it interesting that we are holding colleges responsible for students entering college not able to write. And I do know that students sometimes need a little brush-up or something like that. The college will offer a remedial writing program. They take it, they don't get a credit for it. They might try to push it when they go to transfer to get a credit for it, but they are going to say no, I am sorry, this isn't going to transfer. This was a brush-up course.

Is it the college's responsibility to be held accountable when a student who is a freshman, that they are allowed to come in, needs to take these remedial classes, that somehow they be transferred, or somehow the college somehow isn't living up to its accreditation when it tries to help, and in some cases an adult returning after being out of the process maybe for 20 years where math and science has really changed?

Dr. DAVIS. May I respond? You have just touched on the most sensitive question related to the transfer of credit, in my opinion. And that is, all of us accept transfer of students, a lot of them. And when we do that, we take responsibility for certifying on graduation that they meet the requirements of our degrees. So we do share that responsibility with the student. And I emphasize that to parents and to students regularly when this question comes up at the end, that is a shared responsibility. We are going to do everything we can to help you meet the requirements of our degree, but you came in as a junior and you have already in effect been given credit for knowing how to write, in effect, from freshman writing.

And we do have some responsibility there. And we oftentimes even have remedial efforts at writing at the junior and senior level when we know that occurs. But it is a shared responsibility, and I appreciate your bringing that forth very quickly, that, when you choose your institution, when you choose what courses you are going to take, you are setting some of the answers to what is going to happen when you apply for transfer of credit to other institutions.

Ms. MCCOLLUM. Thank you, Mr. Chairman.

Chairman MCKEON. Thank you. And that is why in the bill we are asking that we have a transfer policy that is up front, objective, and the student when they start a school will know what will

transfer when they leave that school. That is why we are asking for that in the bill.

Mr. Burns.

Mr. BURNS. Thank you, Mr. Chairman. I thank the panel. You have been very gracious with your time and your expertise.

I spent 20 years in the university system at Georgia, and I have been on accrediting task forces at my university for SACS and AACSB, and I represent the University of Georgia along with another dozen or more schools of higher education. So I have been down the road. I have even taught an on-line course. So, you know, I have a bit of experience there, as a matter of fact, a whole lot more than one.

I want to talk about accrediting bodies. There are national bodies, there are regional bodies, there are professional accrediting agencies. Are there too many? Are they proliferating? How do we—we are going to rely heavily on accreditation as a measure of quality. Now, how do we ensure that the accrediting bodies indeed have the capability and skills and ability to indeed evaluate their members?

Dr. Martin or Dr. Davis.

Dr. MARTIN. Well, I must say I certainly wouldn't want to narrow it. It is already, in effect, regional monopolies with just a few exceptions of certain kinds of institutions that go national. That is one reason our organization has endorsed the idea of restoring the right of States to also be recognized by the Secretary as accreditors, because you get a little more competition into the system and some alternatives from the people we know to be very, very concerned with the educational performance of the institution. So I think we need more competition, not less.

Mr. BURNS. Dr. Davis?

Dr. DAVIS. Yes. We live in a wonderful country and we have a great arbiter here that we oftentimes don't pay enough attention to, and that is the consumer, the student. And I can assure you, if you have AACSB accreditation within a university, you are going to do better competitively with students and business because they know the value of that. It says something. And I think the same is true for nursing, I think it is true for a number of the disciplines. It is an important consideration.

I don't think there can be too many reviews of an institution. I wish we could coordinate those more. I am certainly not encouraging you to legislate that, however. I think that is the responsibility—we have to figure out how to do that.

I have 16 different groups come and visit my institution over a 10-year period in addition to regional accreditation. And that is a chore to coordinate all that. But there is value from that, and the consumer eventually decides the value of it, and they encourage us then to have those accreditations.

Mr. BURNS. I would agree. I think that certainly in the specialized areas where we are having new disciplines that are developing, and new standards, especially when you get to licensures and those kinds of issues. I am a little cautious sometimes in competing—in competing environments where new accrediting agencies may pop up in lieu of the recognized standard.

I would like to go back to my colleague Mr. Osborne's comments a few minutes ago. How do you compare institutions? And I will tell you, I have some reservations about a national standard. I am not sure that is something reasonable that can be achieved. I don't think the government needs to evaluate the institutions, but I certainly agree with Mr. Castle that the consumers need to be able to do that. They need to be able to look at the outcomes, the associated outcomes with prospective students, and certainly their families, as they do that.

I want to shift a minute to distance learning. The biggest challenge that I faced in dealing with distance learning was we were moving from a contact model, contact hours, to an outcomes-based measure. Can you provide input on how you are going to evaluate those two things? Dr. Keiser?

Dr. KEISER. I am not sure that is a necessary requirement in distance learning. In fact, we have very strict standards in contact. The only difference is it is an asynchronous process that students can be involved 24 hours a day, 7 days a week. We have very specific contact requirements, and our software measures the amount of time that is invested in the process. We have a specific amount of time that the students must invest in communicating through our various communication models. And we have evaluate the students by the time involved in the process. So we are very outcomes-oriented, but at the same time we still have a very strict requirement in terms of time on task.

Mr. BURNS. Is this model—again, I have taught in a number of options. But contact in the on-line world is different from contact in the traditional world. And I concur with you, the quality of contact can be far superior in an on-line environment because of the direct involvement. But again, the challenge for the faculty member is ensuring that level of involvement.

Dr. KEISER. Absolutely. And that is the critical difference. The same faculty who are speaking and may be doing just a platform kind of environment where they are lecturing are not necessarily the appropriate faculty members for distance learning. And you have to train your faculty to produce the same kind of outcomes you would in a classroom environment but using different strategies. So we find—and, again, we are very excited by the contact time, in fact greater amount of time by students, in an on-line environment than just sitting in class, going to class 3 hours a week in a particular class for 16 weeks.

Mr. BURNS. Thank you, Mr. Chairman. I yield back.

Chairman MCKEON. Thank you very much.

Mr. Payne.

Mr. PAYNE. Thank you very much. This has been a very interesting—something I have never given too much thought about, only being in elementary and secondary education as a former teacher. But I did follow students as they applied to college and, you know, happy when some got in to where they wanted to, others on waiting lists and so forth.

But I just have a quick question because I know very little about the way colleges—the accreditation organizations become assigned. Do colleges have the right to select the accrediting organization or is it done at the regional base?



Dr. DAVIS. The regional accreditation is based on where your institution is located. There are five regional bodies; and depending on where your institution is located, if you want to receive Title IV funds and if you want to be regionally accredited, you have to do it within that region.

There are some programs that cut across regions, however, and that requires the cooperative agreement between the two regional bodies to work out how that is done.

Specialized accreditation, on the other hand, is by choice of the institution for the program that they have. Some people would say you don't really have a choice if there is a licensure exam that you must prepare for that student in order to graduate and be a professional. So if you want to have, for instance, a physical therapy program, you must be accredited by that body, and your students then can sit for a licensure exam at the end of it.

Now, national accreditation is slightly different. People do choose to apply for accreditation with national bodies.

Mr. PAYNE. Now, I heard—that is very clear. I heard that—I know that Dr. Martin supports the States being able to accredit colleges within their States. Where did the rest of you fit in on that, quickly?

Dr. KEISER. Our organization has not taken a position on the States. But what is interesting is the issues that Dr. Martin brings up I think are addressed right now by States, because all institutions have to be approved or licensed at a State level prior to receiving accreditation. And the States, if the States wanted to impose a particular set of educational requirements, they have that opportunity now.

I served on both State licensing boards in the independent sector in Florida for vocational and collegiate institutions, and frankly we don't have the resources or the structures to provide the same kind of function that accreditation does, because, first of all, there are so many more institutions and many of them are not accredited, and we have different requirements for the diverse group of institutions that we license.

With accreditation, you are taking a different kind of institution that is more focused toward the needs of improvement, self-improvement, development, and not all institutions want to be accredited.

Mr. PAYNE. Dr. Crow.

Dr. CROW. And I will—just to repeat. Most States at this point, I think, feel that they have the flexibility and the freedom to shape the education in their States as they want to. I just don't see them as being answerable to the Department of Education for how they are going to do accreditation for gatekeeping purposes. I don't think they are interested in that business.

Dr. MARTIN. Well, I must report for the record that we are in contact with some people in States who are interested in that option.

Mr. PAYNE. Dr. Erwin.

Dr. ERWIN. I think the States have taken a more precise role, and that is, they review specific major programs. They have to approve them before they go—before an institution can grant a new major program in many States; and in many States they also can

abolish particular programs because they are obsolete. So I think there is still going to be a shared responsibility, regardless of what you do.

Dr. DAVIS. I will just add one word. I am opposed to States being accreditors. The States have always exercised their responsibility to determine who will operate within that State, and they have been very reasonable with the independent sector of higher education with not restricting the freedom, then, to create new programs that are oftentimes not able to be done by public institutions or through public treasury. And, as a result, everybody has benefited.

And I hope that in what we do here, we don't encourage something that is not needed. And that is the position that I take. It is not needed or desired to encourage States to be accreditors.

Mr. PAYNE. I have three quick questions, since there is no one behind me, and I know the Chairman might give me the latitude to ask these quick questions because he is a very nice person. You should hear me in the other room talk about him. But that is another story. I just need the time now.

How do you feel about this U.S. News and World Report business? I mean, they come out with the—do you think that they do a credible job? Do you think that they are helpful? Are some categories destructive? You know, the party college of the system and the one where you have the—whatever. You know, some of the categories. And how do the colleges feel that they can actually react against that? I don't want to abuse the time too quickly, but it is too important, and maybe a quick answer.

Dr. ERWIN. Well, I had already responded to that in my testimony. You have to ask the question initially, how much students learn. Is that important to you as a consumer? And if it is, you are not going to find that in the ratings. Now, it is not U.S. News and World Reports' fault. It is because many institutions do not collect that information. Specifically, The U.S. News and World Report rankings are based on reputation, amount of resources, alumni giving rate, for example.

And, for example, there is a survey given to the presidents and the directors of admissions, asking them to rank or evaluate the reputation of a long list of institutions.

Dr. ERWIN. Often, they really have not heard of what is going on at another institution, much less how do you really know much students are learning. If your concern is about learning, you are not going to get that.

Dr. MARTIN. I wouldn't be critical at all of those surveys. They are reporting the information they have. But you do wonder, why isn't higher education focusing more on this question of what students are learning? Why aren't there results being made available to consumers? Why isn't that a real part of the accreditation process?

And I suggest you look at the track record. You look in vain for cases where that is the issue that a school's accreditation is being threatened on.

Dr. DAVIS. Presidents like myself chuckle with the U.S. News and World Report because if you happen to be ranked really high,

it is nice. But if you happen to be not ranked in the top 20 or so, then it is not a very good report.

It gives you basic information about a number of factors that the public wants to know. They would buy the paper otherwise. It is a consumer-oriented thing that works for U.S. News and World Report. They could go further, if they wanted to, with the data they have, with analysis. They choose not to because the public will only read so much and their magazine is very popular. That is a very popular issue that comes out.

It is slightly dangerous for a student and a parent, however, to sit down with that and find a match for a son and daughter. It takes more than U.S. News and World Report to do that. And finding that match in the diverse system of education that we have in this country is hard work for parents. And those of us who run these institutions like to work with parents and help get a good fit, because when we do, that student stays for the 4 years and then we are not in the hot seat for not graduating the right percentage of those students that come. Because that decision, more often than not, is made by the student more than it is the institution; but we get credit or blame when it works, and we share that credit and blame.

Dr. KEISER. Career education, which is increasingly a large portion of higher education, is not really relevant to us. However, we would like to see a U.S. News and World Report looking at institutions that have career focuses, looking at how many students that start the school actually complete and how many of the students who started in a particular major get in the field that they are trained for and how many people that went into nursing or went into lab tech, how many actually passed the national boards. We would love to be compared in that environment.

Dr. CROW. I think about 80 percent of our students choose a college by its convenience of location. They are not, in fact, shopping. They want some assurance if where they are going to go is, in fact, going to provide an effective education. They don't have many options. They are not ready to move across the country or move out of the city.

U.S. News and World Report, as far as I am concerned, is really valued by the top 100 and they try to maneuver who gets in it. But for the vast bulk of our students in today's American higher education system, they don't have choices like that. They are going to choose what is most convenient, and they want to know that it is going to be effective and OK for them.

Mr. PAYNE. Thank you. This may be a yes or no answer, the new laws we have—PATRIOT Act, et cetera—has that impacted on your foreign students? I know in some local schools in the New Jersey area, especially New Jersey Institute of Technology, the College of Medicine and Dentistry, they have not only had a tremendous impact on students, graduate students and faculty—I wonder if that is general or just close to the East Coast. Just “yes” if there is an impact, or “no,” more difficulty getting in and out of this country.

Dr. ERWIN. Yes, it has impacted our institutions, made it more difficult for us to have international students admitted into the country, and we have—admitted into an academic program.

Dr. DAVIS. Yes. In a number of countries, it is five times harder to get a visa today than it was, for the safety of our country.

Dr. KEISER. Yes. We had a major program in China and we don't have that program anymore.

Dr. CROW. What I am seeing is a concurrent push toward setting up American higher education abroad. If it is difficult to get the students into the country, then let us set up centers abroad to serve them there.

Mr. PAYNE. I thought that outsourcing was bad already. Thank you very much. I agree that, you know, the students are the ones coming over here primarily, and we are keeping out the wrong people. I wish we could keep out the people who want to do harm to this country, but the students and the professors who are foreign born are having an absolutely horrible time.

We had students afraid to go home for Christmas or Thanksgiving a couple of years ago because they were afraid they wouldn't be able to get back in.

Once again, I appreciate the testimony, and I appreciate the Chairman giving me this extra time. I don't want to get into how jobs and areas that—you talked about the 80 percent going regional. And if you are going to make an evaluation based on job—job performance, and if you are in a depressed part of the country, then you are not going to show the same kinds of high indices that you are going to have in an area that is booming. But I don't have time to get into that.

Chairman MCKEON. Thank you.

Mr. Tierney.

Mr. TIERNEY. Mr. Payne yield? Thank you and thank the members of the panel. Let me take this on a different tack, if I could. What effect, if any, does a school's technology, the ability of that school to have technology on campus, provide it for the students or have its faculty use it as a tool in teaching, what effect does that have on accreditation or what should it have going forward?

Dr. DAVIS. It is an expectation and a requirement that you have up-to-date technology, that you have policies that describe how you use that technology and that you evaluate it, the results of what it does to the educational process. And pretty much, in my experience, institutions that are not up to date, that have not done what they should do in terms of investment are not teaching at the level today that they should because it greatly enhances interaction between faculty and students and brings a world of knowledge to your fingertips that you have spent days trying to find in the library. The Internet itself is used every day in the classroom, in a pharmacy class or in a number of other programs. It is extremely important.

Mr. TIERNEY. My concern with that is that with public higher education institutions, where they don't have the big foundations to provide them with resources to get those kinds of assets on campuses and where the State legislatures have been cutting back significantly every year, if we don't do something here and we have a piece in title 3 that allows us to do some grants for public higher education institutions to help smart campuses move forward, if we don't do that, then they are going to run the risk of falling out of accreditation.

Dr. Keiser, I didn't mean to cut you off.

Dr. KEISER. The national accreditation, especially our commission, we do two things that evaluate that process: One, we usually send out an employer, someone who is in the field, in the area, to help in the evaluation process to see that the equipment and the facility and the teaching methods are up to date and appropriate for the community.

Additionally, we have a very specific requirement, program advisory Committees, that are including employers that review curriculum and review the technology that are included in the program.

Mr. TIERNEY. Let me ask you: A number of campuses now are giving credit for life experiences, particularly to nontraditional students who are returning. What are your opinions on that and is it a good thing or a bad thing? Is it structured properly? And how do you evaluate the school's performance in granting that? How do you know when they are giving it appropriately and when they are not?

Dr. CROW. I would be glad to speak to that. Structured appropriately—and that is, in fact, the key secret to it—I think it is an effective way to help, particularly adult students who are returning to the academy, to be able to show they have learned. It is not life experience; it is actual learning to show that they have achieved. And for many people in the kind of work they have been—and they have been active learners. It is not a classroom setting, but they have been active learners.

I think part of the problem with the whole process is when an institution becomes too anxious to move people through a portfolio evaluation process or maybe doesn't use testing to double-check some of their evaluations. And there have been problems with that when an institution has been too generous in the award of credit. I think, well done, according to CAEL guidelines and some of the other agencies that really try to provide guidance about best practice in this, that it is an effective way, particularly to help adult learners move back into the academy.

Dr. ERWIN. In some areas, not all areas, we have assessment instruments in place where we require a level of competency. In some sense, we don't really care how students reach that level of competency. It could be through distance education, it could be through work experience or whatever. We just want to ensure that they are able to perform at a certain level in certain areas, not all across the institution, but certain areas.

Mr. TIERNEY. Let me ask you, in the accrediting process does it take into account as a positive or a negative a school's attempts or efforts to expedite matriculation, to get students through faster than the 4-year process, maybe to either reach out to high schools and use some of the unused senior's high school year, time when they are hanging around, thinking that they have got all their requirements met? Does that weigh in at all, and how does it weigh in on a school's accreditation?

Dr. DAVIS. In the independent sector, we pride ourselves in getting students through the 4-year program in 4 years or even faster. And many of our institutions will work with advanced placement programs from high schools. We will also work where they can ad-

vance their programs by going through the summers. And all of these—this is an attempt to help that student minimize the total cost while still assuring they get the quality education they need to be successful in whatever they are going to do.

Mr. TIERNEY. Is the accreditation process interfering with that?

Dr. DAVIS. It does require that you document that and does require that you evaluate and have records to show the basis on which you are doing that.

Mr. TIERNEY. Dr. Martin, if I could exercise the license that we are doing around here.

Chairman MCKEON. Mr. Payne got extra time because he said nice things about me. He almost lost it, though, because he said different things in the back room.

Mr. TIERNEY. There is an old saying that everything has been said, but not everybody said it yet. If we allow States to accredit, what is to stop them from not looking objectively enough at their own State institutions?

Dr. MARTIN. The track record of a State's involvement in higher education in recent years is that they are looking very objectively because what they are trying to find objective measures of performance. In other words, they are interested in the kinds of questions we have been discussing here: What are the students actually learning? Can they write when they leave college? Do they have the quantitative skills they are going to need, the whole emphasis within the States these days?

The State higher ed commissions and the people involved at the statewide level in higher education have been involved on these objective accountability measures. There is talk about performance funding: Can we shift the funding just from per student to some kind of performance success and quality measures? And so that is their passion.

Mr. TIERNEY. I wonder about that. I see how radically they are cutting back on their State budgets for the public higher education institutions, and it borders on criminal. And I wonder if it is not going to get into a budgetary situation where they lower the bar just to prove that they weren't wrong politically when they cut them out of the budget. I see some heads nodding, and I guess I am not alone.

Dr. DAVIS. If you check the staffing levels in many States over the last 10 years because of the budget crunch they have had, you will find they have reduced their staffs in some cases by half.

Mr. TIERNEY. They will only have adjunct professors. They don't hire full-time professors in too many instances, I think.

Dr. Keiser, did you want to answer?

Dr. KEISER. My experience would be in working with the State agencies, that that would be a pattern. And again, the objectivity—I mean, they own the public institutions and they also would ultimately be a creditor and evaluator of institutional quality, and I am not sure that is the appropriate—

Mr. TIERNEY. It doesn't bother you?

Dr. MARTIN. One State does this now in a couple of areas and it wasn't a problem. It was open to all States until 1991. And some States are really interested in taking this job on because they are concerned about outcomes and performance.

And you know, Justice Brandeis said that a great thing about federalism is, you have 50 laboratories in the States. So I think you would want to try it out. These are speculations.

Mr. TIERNEY. You would reserve to the Department of Education the oversight of evaluating?

Dr. MARTIN. Yes. They have to meet all the same standards that private accreditors do, and that is how it worked until 1991 when a rule was somewhat arbitrarily imposed saying, let us let New York keep doing it, but not let anybody else.

I think it is time to allow another option.

Mr. TIERNEY. Thank you.

Chairman MCKEON. Thank you very much. We have a letter from a colleague not serving on this Committee. He is from your State.

Mr. TIERNEY. Is my understanding correct on that, Mr. Chairman, that you prefer that be entered in another hearing, but there will be another hearing at which you will let it in?

Chairman MCKEON. Yes, before this Congress ends. It regards a different subject in the broader reauthorization, but a different subject. We will hold a hearing that will be more in tune with that. So we will hold that.

Again, I want to thank the witnesses. I think you have done an outstanding job, and I think the members have asked good questions and this has been an outstanding hearing.

There no further business. This Committee now stands adjourned.

[Whereupon, at 12:45 p.m., the Subcommittee was adjourned.]

[Additional material submitted for the record follows:]

**Statement of Hon. Jon Porter, a Representative in Congress from the State of Nevada**

Good Morning, Mr. Chairman. Thank you for convening this hearing on the best course of action that this Congress can take in increasing the accountability and quality of postsecondary education in this nation. I welcome our witnesses today and thank them for their willingness to share their valuable insights into this issue which so critically impacts the lives of all Americans as they seek the resources for continued success in our dynamic workforce.

As we increase the accessibility and affordability of higher education, we must ensure that the quality of that education remains at the highest levels possible. Only by maintaining the quality of our postsecondary education can we expect Americans to successfully compete in our world economy. One particularly important aspect of this quality control issue is ensuring that we utilize all available resources in educating our students. Most notably, the advantages of the internet in disseminating knowledge and education will prove to greatly augment the levels of education available to those in outlying areas. We must ensure, however, that those institutions providing online education are providing just as good, or better levels of education than traditional brick and mortar establishments.

With its mix of rural, suburban, and urban areas, my Congressional district, Nevada's Third District, will benefit greatly from expanded access and continued quality control. Our booming population requires increased access to higher education to ensure that Nevadans can access the increasingly skill-based jobs with which they are presented.

Accreditation provides one means of ensuring that all schools that receive federal funding are meeting acceptable levels of teaching. I look forward to our continued investigation of the best means of implementing further accreditation requirements as we seek to improve the levels of higher education in our country. I wish to thank our panel of witnesses today and look forward to their testimony and insights into this most important issue.

**Letter from Jane V. Wellman, Senior Associate, Institute for Higher  
Education Policy, Submitted for the Record**

June 30, 2004

The Honorable Howard McKeon  
Chairman  
Subcommittee on 21st Century Competitiveness  
U.S. House of Representatives

Dear Mr. Chairman:

I am pleased to submit comments as requested by your staff on Section 1025 of H.R. 4283, the proposed legislation to reauthorize the Higher Education Act. This section directs the Secretary of Education to provide for a study of the best practices of States in assessing postsecondary student learning, particularly as such practices relate to public accountability systems. I base these comments on my experience in work with several States on public accountability systems, as a consultant to the Business–Higher Education Forum on their work on public accountability for student learning, with the State Higher Education Executive Officers Commission on Accountability, and on work I have done on these issues with the National Governors Association Center for Best Practices.

Section 1025 requires the Secretary of Education to select an organization or association for the study based on: expertise in state practices, access to state officials, expertise in evaluative and qualitative policy research for best practice models, the capacity to convene experts, and the capacity to formulate policy recommendations. The language requires that the work be done in consultation with an advisory committee, but permits the contracting organization to draw its own conclusions potentially independently of the advisory process.

Based on my work in this field, I am confident there are several organizations that could meet these criteria, and could perform the study as required. I also believe the topic is an important one that will benefit from the work described. A good deal of work is being done on this issue, including the current work of the SHEEO Commission and the Business Higher Education Forum. But much more remains to be done, especially at the national level, to bring focus to the topic. And as it develops, the timing of the reauthorization now means that there will be an opportunity for the Congressionally mandated study to build on these other processes now underway.

I'd like to confine my comments on a few elements where the bill language is potentially ambiguous, and might benefit from some modification.

- 1) Selection of advisory committee members. I am not clear whether the advisory committee members are to be selected by the Secretary, or by the contracting association. I believe the latter to be preferable, to remove any ambiguity about authority, and to expedite the work.
- 2) Section 3 requires the organization to examine “The reliability, rigor, and generalizability of available instruments to assess general education at the undergraduate level.” This language seems perfectly clear; however, higher education being what it is, some clarification of focus might be helpful. The language implies that the Committee is interested in supplemental assessments beyond those that are required at the individual course level. Also, the words “reliability” and “generalizability” suggest that the Committee may want to confine the review to instruments that have been externally reviewed for statistical reliability. If these interpretations are correct, the language might be clarified to remove any potential ambiguity.
- 3) The study requires conclusions to be drawn about “best practices” of States in assessing undergraduate postsecondary student learning as an element of state accountability systems. For good or ill, a “practice” can become a “best practice” because it is pervasive, or readily available, or inexpensive, and not necessarily because it helps states to improve their state policies. To do this study well, the association should be able to reach judgments about best practices in state accountability systems, as well as in the relation of student learning assessment to state accountability. It could be the case, for instance, that some states have decided not to embed direct assessments of student learning into their public accountability systems, and one would not want to exclude these systems from a best practice assessment because of this.
- 4) Paragraph c/4 requires the study to comment on “roles and responsibilities for public accountability for student learning.” The association should be required to comment in particular on the best role for federal policy in supporting public accountability for student learning—understanding that the “right” answer to the question depends on the results of the study and the judgments of the or-



ganization conducting it. There is a good deal that is known about effective practices for student learning assessment at the individual course level. There is also a large body of expertise about best practices for institutional policies on student learning assessments. The topic becomes much murkier about the purpose of governmental attention to student learning assessments, in particular the appropriate role for the federal government. So special attention to that important and difficult topic may be warranted.

Thank you for the opportunity to comment.

Best wishes,

Jane V. Wellman  
Senior Associate  
The Institute for Higher Education Policy

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**Statement of the Distance Education and Training Council, Submitted for the Record**

H.R. 4283 would make significant changes to federal student aid programs affecting millions of students and thousands of institutions. The Distance Education and Training Council (DETC) feels privileged to be offered the opportunity to comment briefly on the Bill's accreditation and accountability sections.

DETC supports H.R. 4283, and commends its sponsors for their efforts to open up the financial aid system and take the needs and interests of students to heart.

*Transparency*

Accreditation actions would become more transparent to the public under the Bill, and DETC supports transparency when it is uniformly applied. Although the accreditation transaction historically involved only the accrediting association and the institution, it also affects the public in general and students in particular.

DETC has always acknowledged that it plays a quasi-governmental role, and that by serving as a gatekeeper for federal funding for students, it has a serious obligation to protect the public interest.

DETC already publishes a great deal of information about its accrediting decisions and is willing to publish more, such as an annual list of evaluators who volunteer to serve the accrediting program. However, we must not forget that ours is a litigious society, and that accrediting agencies are sometimes sued when they remove accreditation. Any step toward providing more transparency in the process should be taken only after assuring all parties that volunteers will not become vulnerable to legal actions.

*Disclosures*

We understand H.R. 4283 can address the critical issue of accountability by requiring that more information be made available to help students make better-informed decisions. DETC supports the concept of providing useful information to potential students. As an association which accredits only distance education institutions which make significant use of the Internet to market their offerings, DETC is familiar with the promotional tactics of all online learning institutions in the country. The current state of marketing practices suggests that the field is not level when it comes to fair play in terms of disclosing meaningful information and credit transfer practices.

DETC strongly endorses making commonly accepted data and information available in a usable and easily understood form that would empower students to "comparison shop" on their own. We would expect similar benefits to flow to students if they are well informed when comparing one college's fixed facility programs with another.

DETC welcomes disclosures when they are uniformly and fairly applied across the spectrum of higher education institutions.

*Access to a Degree*

DETC enthusiastically supports the Bill's efforts to make higher education more accessible to low and middle-income students. DETC accredits institutions whose students include many individuals unable to afford the increasingly high costs of attending a traditional college.

Many thousands of adults in our society face the demands of full-time employment and/or raising a family. For example, DETC Outstanding Graduate Sharon Steinbacher was determined to further her education, but her full-time job and family responsibilities limited her time. Sharon enrolled in a DETC school and earned her Bachelor of Science in Information Systems in only sixteen months. She grad-

uated magna cum laude. Distance learning gives motivated students like Sharon a wonderful, affordable opportunity to earn a degree and improve their lives. DETC is a proud advocate of distance learning and what it has been able to do for these deserving citizens.

Lifting the ban on institutions that teach solely through distance education via telecommunications is perhaps the single most powerful feature of H.R. 4283. The Bill's sponsors are to be commended for taking this much-needed action to reach out to deserving adult learners.

*Fair Credit Transfer Policies*

For many years now, DETC institutions have had to intervene on behalf of their graduates in presenting their cases to collegiate registrars and faculty at other institutions who observe outdated credit transfer policies.

DETC strongly supports the Bill's goal of reducing the systemic bias in higher education on the matter of credit transfer. Admittedly, there are many sensitive academic considerations involved, and institutional autonomy is vital, but we have yet to see a convincing justification for rejecting student requests for transfer credit based solely on the source of the accreditation yet this happens routinely today.

DETC welcomes the effort to provide opportunities for learners to transfer their credits and degrees to other institutions. DETC strongly believes that academic transcripts should be considered on the merits of their content and relevance, not simply on the accreditation source.

*A Word About DETC*

DETC has a unique program to ensure educational quality. By design and intent, distance education programs are content-rich, and curricula materials play a major role in determining a program's educational effectiveness.

DETC evaluates every program offered by an applicant institution, with an exception made for military institutions that offer hundreds of programs, such as the Army Institute for Professional Development, the Air Force Institute for Advanced Distributed Learning and the U.S. Marine Corps Institute.

The overwhelming majority of students in DETC-accredited institutions are adult learners who are already employed. They are in a good position to assess the value of these programs.

DETC's outcomes assessment program tracks and compares program completion data. The assessment also includes the consideration of the usual third-party evaluations (e.g., state license examinations). But many other programs do not have such individual third party tests. It is important to note that DETC's primary emphasis in outcomes assessment focuses on whether the student is satisfied with his or her educational experience. This is the kind of data that we think should be disclosed: Are the students satisfied? Do they feel they attained their education goals?

Finally, we believe the public has a legitimate interest in accreditation. This is why the Chair of our Accrediting Commission has always been drawn from the public sector, and why, for several decades, public members constituted a majority of our Commission membership.

These characteristics of DETC probably make it easier for us to support H.R. 4283's efforts to make higher education accreditation more transparent, better understood and more accountable to students and taxpayers.

We believe that H.R. 4283 takes some good steps toward opening up the process and making the playing field level for all institutions.

**Letter from Bruce D. Benson, Submitted for the Record**

6 July 2004

Mr. John Boehner

Chairman

House Education and the Workforce Committee

2181 Rayburn House Office Building Washington, DC 20515

Dear John:

I am chairman of the board of trustees of Metropolitan State College and former chairman of the Colorado Commission on Higher Education. Based on my experience, I would like to endorse Section 495(a)(1)(B) or HR. 4283, the College Access & Opportunity Act, which restores the provisions of the Higher Education Act That allows the states, as well as private accreditors, to certify colleges for purposes of the federal student loan program.

In Colorado, the public—including parents, employer's students and taxpayers—is concerned about whether today's students will be adequately educated to face to-

morrow's challenges. As a result, state leadership—especially the Governor, legislators, and the Colorado Commission on Higher Education—is looking for ways to raise academic standards and improve educational results.

In an ideal world, regional accreditors would already be effectively addressing these issues, but that is not the case. Accrediting criteria focus on inputs rather than outputs. Accreditors seem more interested in up holding the status quo than in demanding real academic improvements.

The original Higher Education Act was wise in allowing states, as well as private accreditors, to certify colleges. That would prevent accreditors from being monopolies and would provide healthy competition that would encourage them to do a better job. The state alternative would also give colleges like my own, which do care about educational quality, certification by an agency that shares this concern.

Every state already has procedures for certifying institutions of higher education that operate within its borders. And state agencies like the Colorado Commission on Higher Education already collect data and conduct a variety of quality reviews on schools in their states. I understand that, thanks to a grandfather clause, New York already accredits some types of higher education institutions. If New York can accredit, why not Colorado and other states, if they choose?

In short, allowing states to accredit brings healthy competition into the world of accreditation, and provides a valuable alternative to colleges which have a strong desire to improve the quality of education for their students.

I would like to thank you for your leadership on this issue

Sincerely,  
Bruce D. Benson  
Denver, Colorado

**Letter from the Council of Recognized National Accrediting Agencies,  
Submitted for the Record**

July 19, 2004

The Honorable John A. Boehner, Chairman  
Committee on Education and the Workforce  
U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515

The Honorable Howard "Buck" McKeon, Chairman  
Subcommittee on 21st Century Competitiveness  
2351 Rayburn House Office Building  
Washington, DC 20515

Dear Congressmen Boehner and McKeon:

On behalf of the Council of Recognized National Accrediting Agencies (CRNAA), we would like to express our support for the provisions of H.R. 4283 that address the role of accreditation. The CRNAA commends you and the Committee staff for making accountability and transparency in accreditation a priority during reauthorization of the Higher Education Act. We would also like to thank Chairman McKeon for holding the June 22<sup>nd</sup> hearing on accreditation and for including Art Keiser as a witness representing the Accrediting Commission of Career Schools and Colleges of Technology (ACCSCT) and the views of national accrediting agencies generally.

CRNAA is an alliance of national accrediting agencies. All of these accrediting agencies are recognized by the Secretary of the U.S. Department of Education under Section 496 of the Act. Together, the accrediting agencies participating in the CRNAA accredit approximately 3,100 institutions with four millions students trained and educated each year.

Accrediting bodies have served for many years in a gatekeeping capacity, ensuring both quality and integrity in higher education. CRNAA's members share your interest in increasing both student and parent awareness of the accreditation process; the important role it plays; and information to guide their consideration in selecting a school to attend. CRNAA believes that several of the disclosure provisions included in section 495 of H.R. 4283 accomplish this goal.

CRNAA also agrees with the legislation's intent to strengthen the role of accreditation as part of the effort to level the Title IV playing field for all higher education institutions and their students. In particular, CRNAA welcomes the bill's provisions on the transfer of credit. These provisions would prohibit institutions and accrediting agencies from adopting or applying policies that restrict or deny students the transfer of their credits solely on the basis of an institution's accreditation, on the condition that the agency accrediting the institution is recognized by the Secretary.

These provisions would also require accrediting agencies to include a review of an institution's policies on transfer of credit.

Increasingly, students decide to continue or expand their education at multiple institutions, but are often hindered by their inability to transfer credits. The denial of credit transfers inhibits individual student initiatives, delays completion, and increases the cost of postsecondary education by forcing students to pay for comparable courses more than once. This situation puts an unnecessary financial strain on both individual students and on our Title IV student aid system. Unduly restrictive transfer policies burden the already stretched capacity of the higher education system. CRNAA appreciates the inclusion of language addressing this problem in both the institutional disclosure section of the bill, as well as in the accreditation section. Importantly, the legislation is also careful to recognize that institutions must maintain their autonomy over making transfer of credit decisions but based on more relevant criteria, such as the student's proficiency and equivalency in courses.

CRNAA additionally supports the legislation's intent to rely on accreditation as a gatekeeper to quality in the area of distance education. However, CRNAA's members have concerns with the current legislative language requiring a comparison of distance education to campus settings as the measure of quality for instruction and support services in the distance education area. Distance education is different from education provided in a campus setting and while accrediting agencies should review all institutions with the same rigor, it is important that the distinctions in distance education be recognized by accrediting agencies in their assessment of quality.

CRNAA understands that you have received specific comments on student achievement, transparency and distance education from some of its members. We are hopeful that you and the Committee will consider those comments and that the issues we have raised will be addressed during the continuing legislative process.

The Commission looks forward to working with you and the staff as the legislation advances through Congress.

Sincerely,

Roger J. Williams, Executive Director  
Accrediting Council for Continuing Education and Training (ACCET)

Carol Moneymaker, Executive Director  
Accrediting Bureau of Health Education Schools (ABHES)

Elise Scanlon, Executive Director  
Accrediting Commission of Career Schools and Colleges of Technology (ACCST)

Steven Egglund, Executive Director  
Accrediting Council for Independent Colleges and Schools (ACICS)

Gary Puckett, Executive Director  
Council on Occupational Education (COE)

Michael Lambert, Executive Director  
Distance Education and Training Council (DETC)

