

REAUTHORIZATION AND ACCREDITATION

Remarks presented to the New England Association of Schools and Colleges

Commission on Institutions of Higher Education

December 5, 2003

by

*Judith S. Eaton, President
Council for Higher Education Accreditation*

BACKGROUND AND INTRODUCTION: A FEW COMMENTS APPROACHING REAUTHORIZATION

- For the Council for Higher Education Accreditation (CHEA), reauthorization started in October 2002 with Congressman McKeon's hearing on accreditation. Charles Cook, director of the Commission on Institutions of Higher Education, and I testified at this hearing.
- The themes in the October hearing were picked up by United States Department of Education (USDE) Assistant Secretary for Postsecondary Education Sally Stroup at the 2003 CHEA Annual Conference. She indicated that reauthorization is about access, accountability, affordability. And, she asked: "How will accreditation address accountability?"
- As you know, there are two ways that the reauthorization can affect accreditation:
 - The law can be changed to make additional demands on accreditors through changing the recognition standards in the law; and
 - The law can be changed to make additional demands directly on institutions and say that accreditation will enforce meeting these demands.
- As the reauthorization started, the CHEA Board of Directors approved a CHEA *Agenda* for reauthorization. This *Agenda*:
 - Reaffirms the value of accreditation while acknowledging the need for accountability reform.
 - Calls on accreditors, institutions and programs (not government) to take responsibility for additional work on:
 - Student learning outcomes,
 - Distance learning,
 - Transfer of credit, and
 - Information to the public.
 - Commits to the development of a bill on academic quality, if appropriate.
- We at CHEA also very much aware that New England members of the House and Senate play key leadership roles on both of these education committees: John Tierney on the House Education and Labor Committee and a powerful lineup in the Senate on the Health, Education, Labor and Pensions (HELP) Committee: Senators Judd Gregg, Ted Kennedy, Jim Jeffords, Jack Reed, and Chris Dodd.

GENERAL CHARACTERISTICS OF THE REAUTHORIZATION

- Most activity to date has been in the House of Representatives.
- There has been some activity in the Senate.
- There has been very little USDE or White House involvement to date.
- It is mostly the Republicans in the House who are engaged in reauthorization.
- We have a lot of work to do – as my description of the past year (below) will indicate.

2003: WHAT HAS HAPPENED

- Four bills have *passed* the House: two bills on teacher education (HR 438 and HR 2211), one on international education (HR 3077) and one on graduate education (HR 3076).
- None of these deal with accreditation in any major way.
- Four bills have been *introduced* in the House that deal with accreditation in some way:
 - HR 838 (Petri) would end the accreditation - Title IV connection;
 - HR 3039 (Cole): would expand eligibility of distance learning programs for federal student aid and require additional accreditation scrutiny of distance learning;
 - HR 2913 (Andrews/Kildee): would also expand eligibility of distance learning programs for federal student aid and require additional accreditation scrutiny of distance learning; including separate and additional standards that are more onerous than HR 3039; and
 - HR 3311 (McKeon): would establish tuition price controls and expand, through accreditation, congressional scrutiny of transfer of credit.
- One bill that deals with accreditation has been introduced in the Senate:
 - S 1203 (Enzi): expands distance learning in federal student aid and mandates additional accreditation scrutiny of distance learning, including separate and additional standards (similar to HR 2913 above).
- One House Concurrent Resolution (H. Con. Res. 318) has been introduced: it is an “academic bill of rights.”
- In the name of accountability, if all of these bills became law, how would accreditation be affected?
 - In transfer of credit, Congress would
 - Decide transfer equivalency - course comparability and academic proficiency, and
 - Require transfer reporting: numbers of students, who wants to transfer, who transfers and telling institutions what counts as transfer success.

Congress would, in part, rely on accreditors to do this.

- In distance learning, Congress would require that institutions and programs:
 - Measure “interactivity” in distance learning,
 - Measure the preparation of faculty, and
 - Calculate retention and completion rates in distance learning.

- Accreditors would have to undertake separate reviews for site and distance operations.
- Accreditation would no longer be a requirement for eligibility for Title IV programs.
- The concurrent resolution would be influential – even if not law.

Congress is coming back to Washington the week of December 8. However, we believe it is unlikely to do anything about these bills. Attention will mostly likely be focused on appropriations.

ASSESSMENT OF 2003: WHERE ARE WE?

- This year does not bode particularly well for accreditation.
- We are witnessing an attempt at “federalizing” accreditation that is quite sweeping. Some of my comments above provide evidence of this federalization.
- Even if only part of the proposed bills that affect accreditation survive, the impact is dramatic.
- In my view, there is something of a different mindset about higher education in Congress (at least in the House). It tilts toward:
 - A major role for market thinking: higher education is envisioned as a consumer good. The job of accreditation is envisioned as protecting the consumer.
 - Education as primarily about job preparation
- We may be witnessing a redefinition of “higher education” – at least in federal policy:
 - To date, higher education has been seen as broadly focused primarily on degree acquisition, general education and the liberal arts as well as career education, cultivation of the intellect, and serving the public good. Perhaps most important Congress, for years, accepted our preferred mode of operation of higher education – the degree granting institution - as the key means to undertake these activities.
 - More recently, higher education is described as serving a more narrowly focused set of economic goals: economic development for the society and economic gain for as many people as possible. This need not involve degrees or general education. It defines the public good more as material benefit. Education need not be in degree granting institutions, but can occur episodically and from a diverse array of providers.
- In this redefinition, Congress may focus more on whatever produces a reliable workforce and universal access. This focus may be more important than our preferred mode of higher education.
- So much for 2003

2004: WHAT MAY HAPPEN

- We are awaiting the “big bill” in the House – accountability and Title IV. We expect that this bill will be the arena in the House for major student aid issues such as loan limits and Pell Grants.
- For accreditation, the bill is likely to be the arena to address the major issues of student learning outcomes and information to the public.
- There is some talk that Senate Republicans are not comfortable with the tuition controls in the McKeon Bill in the house.
- We also expect a Senate hearing on accreditation.
- The Senate timing about reauthorization is quite uncertain, some talk of a bill by March, but most observers doubt this. We are hearing two scenarios about time:
 - Reauthorization will be delayed until 2005. The current law might be extended for another year or two.
 - Reauthorization will be completed in the first half of 2004.

PERSONAL OBSERVATIONS

- In spite of 2003, I am cautiously optimistic about some compromises on reauthorization. The CHEA *Agenda* does this. Perhaps, when the dust settles, the *Agenda* will be a useful blueprint. This means “yes” to more accountability, but only under the *aegis* of institutions and programs.
- We should be concerned that Congress will go far beyond improved accountability by institutions and accreditors and move to far greater federal control over tuition and academic issues like transfer of credit, student learning outcomes and uniform national standards:
 - We will get some of what we do not want – some federalizing of accreditation.
 - The redefining of “higher education” will likely continue.
- We should be worried about ourselves – in higher education and accreditation:
 - We are more fragmented than we should be: institutions, accreditors, Washington associations.
 - I observe too much of a “so what” attitude about more federal control from accreditors, institutions, Washington associations. Too many people say “let Congress do it.”
 - And, I see dissatisfaction in Washington toward accreditation sufficient for some institutions and associations to use government to “bring accreditors into line” and let government solve their perceived problems. Two areas in which this is happening are:
 - Due process in relation to accreditation appeals; and
 - Transfer of credit decisions.
 - I watch the fragmentation and apparent willingness to accept more federal control:

- I hope that we have not lost sight, even temporarily, of the importance and value of self-regulation.
- If we destroy self regulation, we severely undermine institutional autonomy and academic freedom.
- Institutional autonomy and academic freedom are vital to academic quality.

More federal control will not enhance academic quality.

“Congress, give it to the accreditors” will not enhance academic quality.

Accreditation enhances academic quality only when it is the will of institutions. This, after all, is the core of self-regulation.

SUMMARY

- Pending bills in the House do pose some difficulties for accreditation.
- At least for right now, the Senate is an unknown. The enormous presence of New England on the Senate HELP Committee will be vital to all of us and CHEA seeks to work closely with you.
- Timing of reauthorization is uncertain.
- We have a congressional climate of desire to federalize accreditation and a utilitarian/consumer view of higher education dominates at least House thinking. I contrast this with a view of higher education that values the liberal arts and general education as well as intellectual inquiry for its own sake.
- We need, as a community, to strengthen our resolve and commitment to self-regulation and authority for academic quality and to diminish our fragmentation.
- We need, above all, to realize that quite fundamental academic values are at stake in this reauthorization: institutional autonomy and academic freedom.
- We need to remember what is most important to us.

Thank you.