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HIGHER EDUCATION ACCREDITATION: HOW CAN THE SYSTEM BETTER ENSURE QUALITY AND ACCOUNTABILITY?

HEARING

BEFORE THE

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

ON

EXAMINING THE QUALITY AND ACCOUTABILITY OF HIGHER EDUCATION ACCREDITATION STANDARDS

THURSDAY, FEBRUARY 26, 2004

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HIGHER EDUCATION ACCREDITATION: HOW CAN THE SYSTEM BETTER ENSURE QUALITY AND ACCOUNTABILITY?

THURSDAY, FEBRUARY 26, 2004

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Washington, DC.

The committee met, pursuant to notice, at 1:57 p.m., in room SD–430, Dirksen Senate Office Building, Senator Gregg, chairman of the committee, presiding.

Present: Senators Gregg, Alexander, Sessions, and Clinton.

OPENING STATEMENT OF SENATOR GREGG

The CHAIRMAN. There may be other members joining us, but with the vote situation, I think it is important to get rolling since we have witnesses here and I am here. That is good enough for me. [Laughter.]

Next to access and affordability, there is perhaps no greater issue in this reauthorization of the Higher Education Act than accountability. The Federal Government makes over $70 billion available each year in the form of grants, student loans, and work study to help American students pay for college education, so it is only fair that the institutions be held accountable for producing quality education outcomes with this investment.

To ensure accountability, the Higher Education Act requires that institutions wishing to participate in the Title IV student financial aid programs be authorized to operate in their State to meet certain Federal eligibility rules, and maintain their accreditation with an agency recognized by the Secretary of Education as a reliable authority concerning educational quality.

This hearing will assess the role that accreditation plays in the accountability process. There are several issues involving accreditation, in my opinion. Primarily, I think we want to make sure that the accreditation process remains a process committed to excellence, and does not become overly and excessively involved in asserting a political agenda or an educational agenda which is not directed at the substance of creating a well-balanced educational curriculum. We are also concerned about issues like grade inflation, intellectual diversity, and the ability of the accrediting agencies to do their job in an honest and impartial way.

This hearing is going to address these issues. We have several excellent witnesses joining us today who have spent a lot of time

on this issue. Let me begin by introducing all four witnesses and then we will go to testimony.

Our first witness will be Dr. Steven Crow, the Executive Director of the Higher Learning Commission of the North Central Association of Colleges and Schools. Dr. Crow has been with the Commission since 1982 and has been instrumental in making regional institutional accreditation responsive to e-learning, U.S. education delivered internationally, and new collaborative arrangements created in several States. He is also Co-Chairman of the Council of Regional Accrediting Commissions.

Along with Dr. Crow, we have Dr. Jeffrey Wallin, President of the American Academy for Liberal Education. Under Dr. Wallin's leadership, AALE has become a leader in liberal arts accreditation. It has also been a strong proponent of a core curriculum and the assessment of student learning. Dr. Wallin is also a Winston Churchill scholar.

I also welcome Dr. Jerry Martin, Chairman of the American Council of Trustees and Alumni, a nonprofit organization dedicated to academic freedom and excellence in higher education. From 1988 to 1995, Dr. Martin held senior positions at the National Endowment for the Humanities and served as acting Chairman in 1993. Prior to joining NEH, Dr. Martin was the Chairman of the Philosophy Department at the University of Colorado in Boulder.

We are also joined by Dr. Potts, who I believe is going to be introduced by——

Senator SESSIONS. I would be honored.

The CHAIRMAN. —Senator Sessions. [Laughter.]

OPENING STATEMENT OF SENATOR SESSIONS

Senator SESSIONS. Dr. Potts, it is great to have you with us. Dr. Potts is President of the University of North Alabama in Florence, and for 6 years prior to his appointment as President, he served as general counsel for the University of Alabama system. He served for 6 years on the U.S. Secretary of Education's National Advisory Committee for Institutional Quality and Integrity. He is a member of the commission on Colleges for the Southern Association of Colleges and Schools and is a frequent accreditation site visitor for both SACS and the American Bar Association's Section on Legal Education and Admissions to the Bar.

President Potts is a great leader in education in Alabama. I have had the pleasure to visit his university and stay at his guest house. They are doing a terrific job in Northwest Alabama, and throughout the region and have had some really terrific graduates of that university.

Thank you for that privilege, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Sessions. It is always an honor to have a member of your constituency with us.

Before we begin I have statements from Senators Gregg, Enzi, and Kennedy.

The prepared statements of Senators Gregg, Enzi, and Kennedy follow:]

PREPARED STATEMENT OF SENATOR GREGG

Next to access and affordability, there is perhaps no greater issue in this reauthorization of the Higher Education Act than accountability.

The Federal Government makes over $70 billion available each year in the form of grants, student loans and work-study to help America's students pay for a college education. Therefore, it is only reasonable that institutions be held accountable for producing quality educational outcomes with this investment. To ensure accountability, the Higher Education Act requires that institutions wishing to participate in the Title IV student financial assistance programs: are authorized to operate in their State; meet certain Federal eligibility rules; and are accredited by an agency that has been recognized by the Secretary of Education as a reliable authority concerning educational quality. This hearing will assess the role that accreditation plays in this accountability process.

Historically, American higher education has been the envy of the world. Yet today, there are some serious quality issues that we must address if our nation's leadership in this area is to continue. Most importantly, we need to make sure that our institutions of higher education are adequately preparing students for the workforce. There is reason to be concerned about this issue. For example, numerous reports have documented the poor writing skills of recent college graduates and the problems this has created for employers.

I am also concerned about the watered-down curricula that we see in much of higher education today. Many college students lack a solid background in such core subjects as English, History, Western Civilization and foreign languages because unfortunately, good core curriculum programs are all too rare. It concerns me that on many college campuses, core classes are being squeezed out in favor of a balkanized curriculum that does not provide this kind of basic, well-rounded education. While I do not want to see the Federal Government dictate college curricula, I do think it is important to shine a light on this issue.

In addition to the fact that the curriculum is no longer as robust as it once was, grade inflation has become rampant as well at 4-year institutions. As larger and larger numbers of students achieve A's and B's, the ability of employers to make distinctions between students diminishes.

Addressing these and other quality issues involves more than just accreditation. However, accreditation is part of the picture. Through this hearing, I hope we can explore the extent to which accreditation adds value to the accountability system, and whether accreditation standards really focus on academic quality as opposed to focusing on other agendas that have little to do with quality. If students are graduating from accredited institutions without core knowledge or the kind of training they need to succeed in the workforce, then one has to wonder whether accrediting agencies are as focused on student achievement and student outcomes as they need to be.

We also need to make sure that accreditation is transparent to the public, so that students and parents can better understand not

only the process of accreditation, but what that process reveals about the quality of institutions.

I look forward to hearing from our panel concerning these issues.

PREPARED STATEMENT OF SENATOR ENZI

Mr. Chairman, thank you for holding this important hearing on the issue of accreditation and its role in facilitating higher education in this country. I am grateful to the witnesses for appearing today and I am particularly pleased that we have with us a representative of the North Central Association of Colleges and Schools, which accredits most of the institutions of higher education in Wyoming.

Many people don't know how important the role of accreditors is in the higher education system. While their role is largely not well understood, they are critical to maintaining America's competitive edge by promoting high quality higher education. Students will also understand the importance of these institutions because accreditation is a requirement of any institution that wishes to participate in Title IV programs, which are better known as the Federal commitment to student financial aid.

I believe there are several questions before this committee as we begin our work on the reauthorization of the Higher Education Act that will be answered through this hearing and the testimony of these witnesses. Among those that I feel are important for this committee to discuss are the role of accreditation for online and distance learning educators, quality assurance, and accountability. An issue that is important to me as well is the affordability of college, how affordability affects access, and what role accreditors might play in helping to address the rising cost of attending college.

Speaking specifically to the point of distance learning, I introduced legislation last year that would permit online education institutions and their students to participate in Title IV aid programs. A key aspect of that legislation was building on the role of accreditors to ensure the integrity of these programs by creating specific criteria for these providers. I believe, as do many of my colleagues, that distance learning providers cannot simply be plugged into the same process as their traditional brick and mortar counterparts without some changes to the accreditation process. I am grateful that Director Crow addresses that in some detail in his testimony.

I am also concerned that the accreditation process, while necessary for participation in Title IV programs, creates somewhat of a financial burden for institutions. While there are clear financial incentives for any institution to participate in Title IV programs, accreditors are the sole gatekeepers for institutional entry into these programs. In an effort to meet the requirements of accreditors, institutions of higher education must devote hundreds of hours of staff time to providing the requisite information. Often, institutions must also improve physical facilities or make other accommodations in order to become accredited. As is the case with any other business, these costs are passed along to the consumer, in this case, students. In turn, these students will borrow funds from the Federal Government to finance their own education and

will pay most of the cost of the institution's effort to become accredited.

This situation reveals a relatively circular cycle of costs that the Federal Government and students are paying. The Federal requirement that institutions become accredited before they are eligible to participate in Title IV programs has clear institutional costs associated with it, which are ultimately paid by the Federal Government through its subsidization of student loans and grant funding to the lowest income students.

As the cost of attending college is becoming an issue of increasing importance in the minds of my constituents, I am hopeful that we will be able to determine how this committee, and the Senate generally, can address some of the cost issues associated with the accreditation process. I believe the accreditation process effectively limits Federal participation in an area where it is poorly equipped to fill the role of accreditor, in addition to providing an appropriate independent validation of institutional quality.

I look forward to the issues we will discuss in this committee and later as we continue our work to reauthorize the Higher Education Act. Thank you Mr. Chairman.

PREPARED STATEMENT OF SENATOR KENNEDY

I commend Chairman Gregg for convening this hearing as we prepare to act on the many important issues we face in reauthorizing the Higher Education Act.

I also thank each of the witnesses for being here to discuss today's topic—the college accreditation process. It has always been a priority for our committee to see that all students have the opportunity for high quality post-secondary education and are an essential part of reaching that goal.

Since 1952, when the Federal Government began to rely on accreditation for higher education we have used these periodic reauthorizations to improve the accrediting process and use it to solve problems. In 1992, we asked accrediting agencies to add numerous compliance questions to address fraud and abuse in student aid programs. In 1998, we turned to the accreditors to help us respond to the new and growing field of distance education.

Now we look to the accreditors again for better ways to reflect the many aspects of higher education. Students of all ages rely on post-secondary education to improve their lives through learning and to gain the skills that will give them opportunities throughout their lives and make them better citizens, parents and workers.

Higher education is a significant and continuing Federal investment—$69 billion in student grants and loans in 2002. It is also a significant and continuing investment by millions of students and their families, who struggle to make college a reality for themselves and their children, and then sacrifice for years to pay back their loans. We need to do all we can to see that our investment and their investment is reaping the best return possible.

All of us on the committee look forward to your views on the current accrediting process and the specific improvements needed to give students and parents the best available information to make informed decisions in spending their higher education dollars.

Thank you for your testimony on this major aspect of current education policy.

The CHAIRMAN. Dr. Crow?

STATEMENT OF STEVEN D. CROW, EXECUTIVE DIRECTOR, THE HIGHER LEARNING COMMISSION, NORTH CENTRAL ASSOCIATION OF COLLEGES AND SCHOOLS

Mr. CROW. Mr. Chairman, my name is Steven Crow. I am the Executive Director of the Higher Learning Commission of the North Central Association of Colleges and Schools. My membership consists of 895 colleges and it also includes almost two dozen tribal colleges that are located in the sovereign nations that are within our 19-State region.

I also serve, as you mentioned, as the Co-Chair of the Council of Regional Accrediting Commissions, or C-RAC. Those seven regional accrediting associations accredit over 3,000 institutions enrolling approximately 16,620,000 students. All of our commissions are recognized by the Department of Education and by CHEA, the Council on Higher Education Accreditation.

Most of my comments today are shaped by the legislative recommendations created by a majority of the agencies in C-RAC and distributed in recent weeks to education staff on the Hill.

For the past 50 years, our commissions have served a unique quasi-public role. Their accreditation decisions on institutions have been accepted by the Federal Government as sufficient evidence of educational quality to fulfill part of the DOE's institutional eligibility requirements for Title IV. For the past 15 years in particular, we 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.

I have submitted a longer statement for the record. For the sake of brevity, I will now address briefly the primary issues that my regional colleagues and I understand to figure prominently in this reauthorization.

First, institutional accountability for student learning. The Federal call for increased accountability for educational performance has been heard. The fact is, thanks to our integration over the past 15 years of student learning into our accrediting standards and processes, a surprisingly large number of our colleges and universities have lots of outcome data.

While concerned about a law that would require a summary of educational performance in a few required standardized measures applied to all types of colleges and universities, we would support legislation that continues the expectations that accreditation weighs student learning and that institutions receiving Title IV provide public information about the educational performance of their students. We would council that an institution should be allowed to provide performance information fitted to its own educational objectives and using the variety of data it gathers to evaluate its own effectiveness. As recognized accrediting agencies, we are ready to accept within our federally defined responsibilities re-

view of the data itself as well as of the effectiveness of the institutions' distribution of it.

Transparency of accreditation. While anxious to protect the zone of privacy important to our efforts to stimulate and support educational institutional improvement through accreditation, we are ready to create for the public stronger programs of disclosure about accreditation processes, accreditation actions, and the findings related to those actions. We strongly urge that the template for public disclosure, however, not be defined in law, allowing important conversations within the accrediting community to create effective and appropriate models for that disclosure.

Student mobility and transfer of credit. We know that transfer of credit is a matter of public concern. In recent years, we have all endorsed the CHEA principles on transfer adopted in November 2000. They mark a new consensus on good practice in transfer, including an expectation that transfer decisions not be based solely on the source of accreditation.

While my colleagues and I caution against any wording in this reauthorization that could be used to allow the Department to regulate this key component of institutional academic integrity, we would support legislation that captures the spirit of the CHEA principles and we are ready to include in our review processes greater attention to our institutions' transfer policies and practices than we have in the past.

I would be remiss if I did not caution against adding significant new institutional recordkeeping and reporting requirements on all of this.

And last, distance education and e-learning. Each regional commission believes that it has been doing an effective job of evaluating distance education generally and e-learning specifically. Legislation that classifies all e-learning as distance education and then calls for different regulation of it will inadvertently require special evaluation of what many institutions and their campus-based students now view to be little more than a scheduling option.

While we take no stand on the 50-50 rule, we do not believe that the price for its abolition should be the enhanced scrutiny of all distance education, no matter the institutional context.

We have been reviewed by the Department to approve e-learning over the past 5 years and all of us have actually been reviewing it and including it in our accreditation for many years before that. We do stand ready to demonstrate anew how our existing standards apply to e-learning, we stand ready to document the training we provide to assure that our reviews of e-learning are sound, and we stand ready to review periodically the management capacity of institutions with rapidly expanding online offerings and/or with rapidly growing numbers of students served by them.

Mr. Chairman, thank you very much for the opportunity to testify. I look forward to hearing from my fellow panelists and then responding to whatever questions you may have.

The CHAIRMAN. Thank you, Dr. Crow, especially for those specific thoughts.

[The prepared statement of Mr. Crow may be found in additional material.]

The CHAIRMAN. Dr. Wallin?

STATEMENT OF JEFFREY D. WALLIN, PRESIDENT, AMERICAN ACADEMY FOR LIBERAL EDUCATION

Mr. WALLIN. Thank you very much, Senator, for having me here today to share my thoughts on how accreditation can better ensure quality and accountability, and for accountability and quality I am going to speak of learning outcomes, since that seems to be the method by which we seek to improve over the resource discussions when it comes to accreditation.

It seems to me that we should begin with a very simple question. Do we have a problem? And I would say, yes, we do. Higher education in this country is on the road to becoming ubiquitous, while not, I hope, uniform, and therein lies the danger.

This is in large part due to the admirable efforts of many at the State and national levels to increase access to nontraditional student populations. However, in the last couple of decades, serious questions have been raised about whether the quality of higher education has kept pace with its growth in size and expense. Report after report confirms that higher education, even a degree in it, is no longer a guarantee of the skills and general knowledge that Americans have come to expect from higher education.

We seem to be reaching a point that Winston Churchill thought had arrived a full generation ago, namely that education is at once universal and superficial. It is our duty and our responsibility to do what we can to preserve this newly-won access while resisting superficiality and a reduction in quality.

The American Academy for Liberal Education was established, in part, to strengthen general and liberal learning by establishing substantive academic accreditation standards, such as foreign languages, mathematics, history, philosophy, and science and so on. We believe in this system, but it is a system of inputs, and, of course, at some point you have to come to a system of judging whether it is working.

Learning assessment has grown very rapidly over the last few years. In my opinion, it has done quite a bit of good. From the standpoint of AALE, for example, we see that many faculties are being forced to reconsider the issue of a core curriculum and what has been lost by abandoning them over the last 30 or 40 years. Once you have to ask the question of what is it that you expect out of education, quite often what you are led back to is the proper means for supplying it, and that is all to the good.

However, we believe that there is a significant danger in pushing this too far, or rather, I should say more explicitly, pushing it too far with the wrong means. We do not want assessment to replace education. There is an old Midwestern saying, you don't fatten the hog by weighing it.

Now, it seems to me that the problem is that regional accreditation is doing about as much as can be done along these lines without forcing a kind of uniformity among colleges and universities throughout this country that none of us want. Is that to say that it can't be done? No, not at all. We have models of assessment of the sort I think people are interested in.

Take a look at the specialized accreditors. I haven't heard anybody complaining that a student with a biology degree doesn't know any biology, or that the engineers can't build bridges. The

specialized accreditors realize what it is they want to produce and the experts in their field are the ones who assess the learning in it and it works pretty well. It is hard to do, though, when you have a general education curriculum, especially when it is no longer a specific core but it can be a smorgasbord of courses.

I have attached a paper to my remarks from Milton Greenberg, who argued that maybe what we need to do is one of two things. Either hold the specialists accountable for the fact that they require that their students take general education but they rely upon the quality of that education to be taken care of by the regionals and they are not set up to do that, not with, what, just 800 institutions or so. They don't want to impose that kind of uniformity, nor should they.

Another possibility would be to have sector-specific accreditation. That is to say, you might have an accreditor for regional universities, research universities, liberal arts, and so on. Of course, that is one thing we do is the liberal arts. But what you would do is take assessment and put it somewhere where it has a long tradition of being successful, as it is, say, in the arts and in music. That might be a possibility, but it would require quite a change.

In any event, though, one might think at some point, if the system is not built to do this, maybe we had better at least think about building a system that is designed to do it, for that is the only way I think we are going to get the kind of assessment that the American public wants, one that deals with qualitative, substantive differences between colleges and universities.

Thank you very much.

The CHAIRMAN. Thank you.

[The prepared statement of Mr. Wallin may be found in additional material.]

The CHAIRMAN. Dr. Martin?

STATEMENT OF JERRY L. MARTIN, PRESIDENT, AMERICAN COUNCIL OF TRUSTEES AND ALUMNI

Mr. MARTIN. I think we have to begin by recognizing the extraordinary power accreditors have. They are private organizations, but Congress has made them the gatekeepers of billions of dollars of Federal funds, including student loan funds without which colleges cannot survive. The rationale, of course, is that they are there to ensure quality. The question is, have they been successful in that?

Unfortunately, our study shows that the answer is no. There is considerable evidence of serious decay in quality at many institutions despite the fact that almost every college and university is accredited. Colleges and universities that were allowing academic standards to slide nevertheless sailed through their reaccreditation visits. How is that possible?

Well, the surprising fact is that the standards for accreditation have little to do with teaching and learning. As every expert who has looked at this notes, accrediting standards emphasize inputs and procedures, not educational quality and student learning. As a result, the accreditor's guarantee is no guarantee at all.

Take grade inflation, for example. Studies show that under the accreditors' watch, grade inflation has gotten worse, not better. The Duke University researcher who monitors this issue says the rise

has continued unabated at virtually every school for which data are available. And yet not a single case has been reported of a school being sanctioned by accreditors for runaway grade inflation.

Another of the most important quality indicators for a college is its general education requirements. What are the courses required for all students to graduate? One study found that in the last 50 years, there has been a decline in general education requirements in every subject—English, history, math, science, foreign languages, philosophy, the arts, even PE.

If we judge accreditors on their performance, it is a record of persistent failure. If meat inspections were as loose as college accreditation, we would all have "mad cow" disease.

So what is the solution? Well, since accreditors are not successful in ensuring quality, their power over Federal funds is not justified. A simpler, less costly procedure could be set up within the U.S. Department of Education to certify quality institutions—qualified institutions, and that should be sufficient to weed out institutions that are colleges in name only.

For raising educational quality, two more effective sources of accountability are available. First, college and university trustees are appointed to represent the public interest. They are becoming increasingly active and expert in overseeing quality, and if we have time in the discussion I could give you some dramatic examples where college trustees have strengthened core curricula and raised academic standards, none of those changes having resulted from accreditors' recommendations.

Second, State higher education agencies are embarked on what has been called an accountability revolution. They are framing performance measures that look at educational results, not just inputs. Again, I could give you some dramatic concrete examples from States around the country.

The problem is that the accreditors function as de facto cartels. Monopolies are not good at self-correction. Competition is the best medicine.

Two promising alternatives can provide much-needed competition. First, though, why not encourage more accreditors? The American Academy for Liberal Education is a perfect example of an accreditor dedicated to setting very high standards in the liberal arts.

Second, Congress should consider Senator Hank Brown's suggestion. Senator Brown became a college president after leaving the Senate and reported that although the accreditors did not ask what students were learning, he said one agency did, namely the State Commission on Higher Education. Well, Congress should consider his suggestion, which is that the States might be allowed to accredit colleges and universities on a purely voluntary basis if they so choose. Originally, the Higher Education Act did allow States that option and one State has done so in a couple of areas. But since 1991, this opportunity has been denied to other States. We believe this is an option worth exploring.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Dr. Martin.

[The prepared statement of Mr. Martin may be found in additional material.]

The CHAIRMAN. Dr. Potts?

STATEMENT OF ROBERT L. POTTS, PRESIDENT, UNIVERSITY OF NORTH ALABAMA

Mr. POTTS. Mr. Chairman, members of the committee, ladies and gentlemen, I want to thank you for the invitation to be here today. I am here representing the American Association of State Colleges and Universities, on whose board I serve. We represent 425 public colleges and universities and university systems around the country, about 3.5 million students, and more than half of the students in the four-year institutions in the country.

I personally have been on the ground with accreditation and also spent 6 years on the committee that is set up to oversee the accrediting agencies, and during that period of time got to see most of the 100 or so accrediting agencies that are certified on the Secretary's approved list, and we had hearings twice a year, 3 days at a time, where people could come in and make complaints, make comments as these agencies would come up.

What I just heard described does not accord with what I saw during my service on that committee, nor what I see on the ground as I lead accrediting teams for a couple of different organizations. I am taking a team, for example, to Murray State University week after next to do this. What I see is that the present system is working quite well. The 52-year-old partnership between the voluntary accrediting associations, be they the regional associations, the national associations like Dr. Wallin's association, or the specialized associations that accredit just in a specific field. They are doing a pretty good job under the current system.

I do not think that wholesale changes and particularly delinking student financial aid and the accrediting system would be a good thing. You have hundreds and thousands of volunteers like myself out in the field every year paying attention to issues of quality at institutions. We frequently serve as unpaid consultants to suggest best practices. You better believe that we will blow the whistle if we see something that we think is not academically sound in these institutions.

You think of the institutions, for example, in your home State and you ask yourself—I know Senator Alexander was the President of the University of Tennessee—if these descriptions of the lack of quality are there. I don't think that is true, and I think the accrediting agencies have been doing a fine job.

Now, can a complex system like this be improved? Of course it can. We at AASCU have a few suggestions. We basically subscribe to the suggestions that Dr. Crow and the regional accreditors have made with some minor changes in the Act.

But I ask you, in considering these changes, not to upset the delicate balance that has existed for 52 years with some slight changes between the private accrediting agencies and the Federal Government with the States and the institutions playing vital roles in it because it has worked well.

Our system of higher education here in this country is the envy of the world. Our institution recently established a relationship with a company in Japan and we are getting large numbers of Japanese students that come and enroll in our institution. I can tell

you that all over the world, people admire this system, and one of the great aspects of it has been private accreditation that first began in New England in 1895 and then became a part, or partnership with the Federal Government in 1952.

So we want to just say in summary, and I would like to submit, of course, my written testimony, I can give you example after example where I have been out on the campuses and improvements have been made. I cite one example of where one institution got 100 recommendations on a visit from a regional accreditor because of some program problems they had. The next time they came, they got less than ten and it was uniform improvement because of this process.

There is more focus now on student learning and development. The Southern Association, on whose commission I sit, for example, has just adopted a new set of democratically developed criteria called the principles, and one of the things in that is we require as a part of the accreditation process a quality enhancement plan for student learning that the institutions submit. So you are seeing more and more outcome assessments through institutional effectiveness and other things that we have hard criticism such as has been made before and we certainly strive to increase that.

But let me say last, in conclusion, that AASCU's position on this is that there should be some targeted improvements during reauthorization, but a wholesale change in the system would be very detrimental and there would be nothing short of extreme expense and some sort of ministry of education that you could have to supplement what is being done by volunteers today. Thank you very much.

The CHAIRMAN. Thank you.

[The prepared statement of Mr. Potts may be found in additional material.]

The CHAIRMAN. I thank the panel for the excellent presentation. I sense that there is a slight difference of opinion—[Laughter.]—so I thought maybe I would let—Dr. Potts, I thought you made an excellent presentation of why we shouldn't fundamentally change the system, and Dr. Martin made a suggestion that we should change it more fundamentally, Dr. Wallin a little in between, and then Dr. Crow, yours was more of an objective overview.

Could you respond, Dr. Martin, to Dr. Potts' thoughts, and then we will give everybody a chance to respond back and forth, because I think you got to the essence of the issue, which is how much change is necessary in order to get better accountability and make sure that kids are getting what they paid for, which is an education.

Mr. MARTIN. Well, we seem to disagree on what should be done, but I did not hear any counter evidence. I did not hear the argument made that there is no problem with grade inflation or that curricular requirements have strengthened rather than weakened. At one point, the Association of American Colleges did a report that summed up the situation on the college curriculum today by citing the lyrics of Cole Porter, in which the only thing adequate is a summary. "Anything goes." I don't hear any rebuttal.

Employers regularly report these days—you can quote one CEO after another that even the college graduates can't write. As one

reported they can do the technicals, but they can't write the report. These are just—you know, we talked about a diversity of institutions, but I don't know any field or type of institution in which a student's ability to write an English sentence and express himself or herself is not important.

So I don't hear any challenge to the basic facts of deterioration. The burden of proof is on the accreditors. Well, where they are not doing the job, I think we need to find a way to fix the system so that the job gets done.

The CHAIRMAN. Dr. Crow, Dr. Wallin, and then we will get Dr. Potts to come back for rebuttal.

Mr. CROW. I would basically argue that I don't find convincing what has been put forward as the evidence for decline in quality. There is a lot of anecdotal talk. There is also much anecdotal talk about how good the graduates are and how well prepared they are. So I think the idea that somewhere there is a uniform, agreed upon understanding that American higher education has experienced a State of decline overseen by its friendly accrediting agencies is essentially bogus. I don't see evidence to support it. I see evidence of various reports that are put together to do this, to try to justify this claim.

I think it is fair that there is a big discussion going on between the Academy and the public at large about the fit between higher education and the needs of society, and I think that we are going to see increasingly over the next five to 10 years much more dialogue between the higher education community and the people who use the graduates of that higher education about what needs to be done to make sure that higher education is relevant and is useful.

And I will say in our latest review of our own accrediting standards, and we just adopted a new set, we, in fact, embed that kind of dialogue and discussion within our accrediting standards.

The CHAIRMAN. Dr. Wallin?

Mr. WALLIN. Yes. Well, I think that Dr. Crow put his finger on a fundamental difference, and that is whether—not only whether the system of accreditation is working, but whether, overall, the system of higher education is working. It seems to me that when you hear a statement that broad one way or the other, one should always ask, in what respect, and the same should be asked of the sentiment that United States education is the envy of the world, because it is. There is no place that offers better education, certainly in graduate school, and very few places that can match us when it comes to our professions and specialized training. That is true.

The question we have been raising today, though, is what about the fact that—and it is not just anecdotal, there are studies showing this—that it seems to be the case that lawyers and doctors and others keep telling us that they don't understand why they are getting candidates for positions out of the top schools and they can't write a paragraph well. I mean, it is a failing. I can't see how you can get around it, and I know that I hire plenty of young students from top-notch liberal arts colleges and I make them take a test, not an exam, but just make them write an article or something and it is pretty bad. Things have gotten to the point where a high school degree doesn't mean a great deal anymore.

Now, by the way, I am leaving aside the most elite colleges, which you usually have to go to a private school to get into anyway, and that is not where the problem is. The problem is that we now have something like seven or so out of every ten high school students going to college. If they are going to go to college, they need to learn because they may get their first job by having that degree, but they won't keep it if they don't have the necessary skills. It seems to me that it is unanswerable, the charge that not enough of them have those skills.

Now, as to how to fix it, I am differing with Dr. Martin a bit on this because, first of all, I think regional accreditation does a good job of what it is intended to do. It is essentially resource oriented. It assures the reliability of processes, resources of educational institutions, and weeds out diploma mills, and I have seen several instances where it does some good in strengthening the institution.

It is just that what has happened in the last, I don't know, ten, 20 years, is the focus has turned on learning outcomes and that is not where the strength of these institutions is, I mean the accrediting institutions. So I would again suggest that we need to find a way, if you want to have this kind of information, real, solid information, none of which, by the way, comes out of the current assessment approach, even though I would argue it is a good thing, nowhere that I am aware of in any of the regions will you come out with a specific answer to the question of whether students who are walking out with a four-year degree actually know anything about mathematics or history or literature or anything else.

Now, our standards are explicit about it, but other than that, learning assessment is starting to turn into a process whereby you have thick portfolios and all manner of other things but you never get anything that would threaten any faculty member or any school by saying, "I am sorry, you are not performing." That, we don't have, and we can either say we don't need it, it is a free country, there are lots of institutions, let them compete, or if we are going to say, let us do something about it, I think you are going to have to change the system.

The CHAIRMAN. Dr. Potts, we are going to have a vote here in a minute, but if you have a couple of points.

Mr. POTTS. A couple of points. These broad-based statements about what higher education is, and I can give you specific examples, and I don't have time here in the hearing, there is tremendous competition among institutions of higher education. The American system has such a great diversity of institutions, from the two-year college to the elite Harvard Universities and Yales and whatever, and the students——

The CHAIRMAN. But in this committee, we talk about Dartmouth. [Laughter.]

Mr. POTTS. The students vote with their feet. I think you will find many institutions have strong programs that train and equip students to compete in this society that we have and this is not the place to try to fix the ills of society with this type of reauthorization. What we have with the current higher education law and in this area of accreditation is working quite well.

The CHAIRMAN. Senator Alexander?

OPENING STATEMENT OF SENATOR ALEXANDER

Senator ALEXANDER. I just have great sympathy for presidents of universities, having been one. But let me thank the chairman for having this hearing and thank each of you for coming. This is a very useful discussion and the differences of opinion are important to me. I am going to ask a question in a minute about what would be the most appropriate way to encourage more accreditors, basically take the system we have now but have less of a monopoly. This is the decision I came to in 1992 when I went through some things with accreditation. So that will be my question in a minute, but first, let me make a couple of comments, if I may.

I arrived at the United States Department of Education in 1991 as Secretary with a chip on my shoulder about accrediting agencies and it really hasn't gone away. One, I had been a university president and I got tired of people coming in and telling me I had to spend $40 million on a law school when I thought I was president of the university and I would rather spend it on this or that or this core curriculum or that teacher.

Second, when I got to the Department, I was really offended by the Middle States Accrediting Agency, which had just adopted in its bylaws, and gave itself the authority to tell trustees and presidents what their diversity standards ought to be on each campus. I thought it was absolutely none of their business and told them so. And in effect, during a hearing, I tried to see if I as the Secretary could disaccredit the accreditors for going far beyond where I thought they ought to be. It was a learning process for me, and maybe for them because they dropped that a year later.

So I arrived with that sort of bias I would like to see if there are ways that we can encourage accrediting agencies affiliated with the Department of Education scholarships to stick to academics and don't impose their political judgments or politically correct judgments on different colleges. For example, Middle States wanted to tell Westminster, which is a Calvinist college which didn't ordain women, that they had to have a woman on their board. Well, that is not diversity. Diversity would be allowing Westminster to come to its own conclusions about its religious beliefs.

And it told Baruch College that 18 percent minority faculty wasn't enough. The United States Constitution and numerous Federal laws establish criteria for that and the president and the board members of Baruch College have responsibility for that. So I start out that way, but let me go the other direction now.

I am very wary of any proposal from the Federal Government that restricts the autonomy of American colleges and universities. I asked David Gardner one time, the President of the University of California, why they were good, and he said three things. One, autonomy. When they created the University of California, it was a fourth branch of government. They basically gave us the money without many restrictions. Second, excellence. We were lucky enough when we started to have a dedicated core of excellent faculty and we have tried to keep it that way. And third, a lot of Federal money and some State money that follows students to the school of their choice, and that model has worked extraordinarily

well in American higher education and I would like to see us adopt it in K through 12 education, which is a different subject.

So we pay a price for the autonomy and the choices that we allow in higher education. In the prices at the fringe, we get some lousy tenured teachers, some weird courses, some things we wouldn't do if we were sitting up here in Washington and deciding what to do.

One other thing before I ask my question. I was in a small group of Senators with former President Cardoso of Brazil the other day and Senator Hutchinson of Texas asked him what of his several months at the Library of Congress would he take back with him to the people of Brazil? What most impressed him about the United States of America? He said, "The autonomy of the modern American university," he said. "I have been all over the world. No other country has it."

I completely agree that we have far and away the finest system of colleges and universities. We have a market system that attracts foreign students, local students. This is the season when parents and students are all falling all over themselves to get admitted to colleges and universities. Grade inflation exists lots of places, but the cure is not with the accrediting agencies, it is with the presidents and the board members of those institutions. They have grade inflation at Harvard, but that doesn't make Harvard a bad university.

The Federal law says that what we are trying to do here is to make sure that an institution is of sufficient quality to receive Federal aid. The Federal Government is not trying to make Maryville College X amount. It is just trying to make sure Maryville College is of sufficient quality to receive Federal aid. We have latched onto the accrediting agencies because helps preserve the autonomy of the American university.

Now, how can we make sure we are not wasting Federal money? I think by creating some more competition, and I would like to start with Mr. Wallin. How can we encourage there to be more people who do what you do? I am very wary of the States. I was Governor. I was also Chairman of the Board of the University of Tennessee. Am I going to unaccredit the university myself? [Laughter.]

I also appropriate money. I also appoint all the board members. I also go to the football games. There would be lots of questions about States taking over this role, but who else could is my question. Who else could?

Mr. WALLIN. Senator, let me approach it a slightly different way, if I may. First of all, I would agree with you about the States. I am a political scientist and I remember we used to describe State legislatures as good sausage-making institutions. You just wait outside and you see what the product is, not the donnybrook inside. I have never been convinced, though I am a proponent of federalism, that every State legislature in the 50 States is always wiser than the government.

But as to how to encourage competition, well, again, let us ask the question of why isn't there any? There isn't any because the system was set up not to be monopolies but because regions have certain interests and if you have regions, then there is going to be a monopoly simple de facto. That is what happened.

Senator ALEXANDER. If I may interrupt, it was set up originally as a self-help mechanisms, colleges to help themselves get better. No one imagined at that time that we would be spending $17 billion in grants and $50 billion in loans with these agencies having the hammer over them.

Mr. WALLIN. Right. No, that is true, and originally they had to deal with questions such as, is this a high school or college? So it was a quality question.

But the problem is, when you get to a situation like we have now where you have, say, 800 or 900 colleges and universities covered in a region, you have to ask yourself, what possible educational standard could you require of all of them? What is it?

Let us take the Southern, SACS. SACS doesn't have a requirement requiring, say, foreign languages, history, literature, mathematics, science, not at all. How could it? I mean, do you really think that all of the members would agree to that?

My point about the regionals is that I think they do a great job of certain things, but they are not constructed in such a way as to be able to do what everybody wants them to do now. And so as far as freeing the system up a bit, I was going to speak about that in my prepared remarks and I ran out of time. A couple of things.

One easy thing to do is to get rid of the restrictions on transfer of credit which exist according to an older age, as it were. If you look at the number of States and colleges and universities, you will see in their requirements that they will accept a grade or a degree only from a regionally accredited association. The reason was that there wasn't anything else then. Regional meant accreditation, national accreditation, institutional. And so that is an anomaly that needs to be changed. Schools, States, they should be able to accept whatever they want, and if they are going to use accreditation, a specific kind of accreditation, they can do that, too, but they should give an argument for it and not just count on it.

Second, there is one other thing you could do, but I just don't see any chance of it being done, and I am not sure it would work anyway, and that is if the Secretary of Education were to say, well, I want everybody to start out on a level playing field, so 3 years from now, all the colleges and universities in this country are going to be unaccredited and we are going to give them so long to find what they want to do and get together with research universities or liberal arts, whatever it may want to do.

Now, my guess is that even that, and that is a pretty extreme measure, even that wouldn't work, because after all, part of what we are dealing with is a tradition of associationship with the regionals. The real problem, I think, is that you cannot ask from something that which it cannot give. So you are really left with this choice.

First of all, there should be more accrediting agencies, and I am all for that. But fundamentally, do we want to try to get from the regionals the kind of information the public and I think Congress wants, which is the kind of information that would replace U.S. News and World Report and all of those things, or do we want to admit that that is going up the wrong tree because that mechanism can't do it without sacrificing one thing that I know that every sin-

gle person here wants, and that is the autonomy of the individual institutions.

That is why I suggested trying to go to a different mechanism, but I really do not see a way except just getting more and more heavy-handed. Let me look at the legislation, by the way, if I may, just read one sentence of the current legislation——

The CHAIRMAN. Doctor, we may have to move on to another question. I apologize. I know that Senator Sessions and Senator Clinton both wanted to get questions in here, and we are going to get a vote in a minute and they are going to have to leave. So if you don't mind, maybe we could reserve that and go to Senator Sessions for five minutes and then Senator Clinton for five minutes and then hopefully we will still have some time to come back to it.

Senator SESSIONS. Thank you, Mr. Chairman. I find this very, very interesting. I have had several experiences that have affected me regarding accrediting agencies. I am on the Board of Trustees at my alma mater, Huntington College in Montgomery. It is a small liberal arts Methodist college, and I was on their long-range planning committee which was driven by SACS review, which was good, I thought.

In my understanding of it, there was a clear feeling that if they deemphasized the historical religious connection, they would probably come out better in this review, and in fact, proposals were made to do that and over the years that has occurred. In fact, some of the core curriculum required the Old and New Testament and two semesters of religion and philosophy, 12 hours. It has been eroded. I didn't like that.

I attended the University of Alabama School of Law. The dean there had been a JAG officer, and at one point in my career as an Army Reservist, he supervised me. I learned when I became Attorney General that the University of Alabama's accreditation was being threatened because the accrediting agency said the university could not allow JAG officers to recruit students on campus because the accrediting agency did not agree with the Clinton administration's policy on gays in the military, the "don't ask, don't tell" policy. They considered that discriminatory, and that the military was, therefore discriminatory, and JAG officers could not come on campus. The faculty voted in compliance with that decision. I offered and encouraged the State legislature to pass legislation to say the military could recruit on campus, and they were allowed to do so after the legislature passed a law that said they could, so the accrediting agency backed down from that. However, the original decision did not sit well with me.

Auburn University, I have been a critic of their board and how they have handled things, but they have had an aggressive board that has shown leadership, whether you agree with it or not. Auburn University is—this is their information, but it is, I think, true, "the best producer of chief executive officers for the Nation's best small companies than any other college or university in the South," according to a Forbes survey. They are the top public education institution in the State and among the top in the Nation for educational value, according to Money and Kiplinger's Personal Finance. Now, Mr. Potts wouldn't agree with that, I am sure, because he has another great university. [Laughter.]

They are ranked in the top 50 institutions in the Nation for providing a quality education with educational value, from the United States News and World Report. One of the top five universities nationally for producing NASA scientists and astronauts. Auburn's students are accepted into medical school at 30 percent higher than the national average, and on and on.

Well, clearly, it is one of the country's great universities and there was a fuss over the football team and the board of trustees getting involved in that and embarrassing the university and the president embarrassing the university and their magnificent alumni association and everybody is upset about it, and lo and behold, because of that, apparently they are on probation, a great national university. Now, we have other universities all over this country that are not nearly as capable in turning out students with excellence educations.

Dr. Martin, I saw you nod there. Am I missing something here?

Mr. MARTIN. I think you are right on target, Senator. If you look at—of course, these reports are secret, which actually is one of the problems in this. Accreditation is in some ways the dark hole of higher education, so people try to figure out what is actually going on. But when there is a conflict, it tends to be reported in the press and the Chronicle of Higher Education particularly.

We looked over the last 10 years to see where there is an issue, a school's accreditation is being threatened, is it on grounds of educational quality, and I have to tell you, we didn't find a single one. Usually, financial instability, mismanagement, that type of thing, small sort of failing colleges, colleges that, in effect, the market has already rejected and that is why it is failing.

The others, there were just a handful of others. One was on the University of North Dakota. The big issue was the American Indian used in their logo. The accreditors wanted them to use that. One that came to light, the president of Tulane said that because of the accreditors, he was going to have to—50 percent of all new faculty hires for the next several years would have to be minorities, exempting the medical school from that.

In another case, the accreditors told a college to actually alter its mission, which is a very strange thing for accreditors to do, and here is the actual statement. The college mission and vision and department goals and objectives should be developed around global concepts of race, class, and gender. Why is that what accreditors get to say?

And another was the Auburn case, where the, as the Chronicle reported, the issue was the board's micromanagement of the athletic program and the Chronicle said no educational issues were involved. So you wonder, is that what Congress intended when it gave these accreditors life or death power over the institutions?

Senator SESSIONS. Dr. Potts, I would be interested in your comments on this, also.

Mr. POTTS. I am on the Commission on Colleges, as I mentioned, for the Southern Association, so I was recused with all the Auburn discussions and none of this is based on anything coming from inside SACS. I want to make that clear.

But what happened, in fact, was, and all of you are familiar with the requirements we now have in Sarbanes-Oxley and other things,

the Southern Association has a standard with regard to how governance of an institution should be. There were numerous complaints filed with SACS for complaining about what was going on with Auburn, including, and these are friends of mine, a lot of them, but that there were conflicts of interest, that there was self-dealing and everything. Auburn then goes and preempts the process by filing suit and literally hundreds of thousands of dollars were spent.

Probably SACS has never been in higher esteem in the State of Alabama than it is now. The president resigned over this, or did resign, the existing president. The new president, who is the former State Superintendent of Education, just had a meeting with SACS. It went very well, it was reported in the press. And what we have is getting back with Auburn doing the same thing that every other institution is, and to me, that is an example of accreditation working well.

And I think you will see that what comes from this, and again, speaking from just the reports, that you will have an improved governance process in Auburn University because of this. And I agree, they are a very fine university and this didn't involve academics. But under the current law, under the law, finance and administrative capacity and administration and those sorts of things have to be looked at by accrediting agencies.

So I think that you can always find extreme examples, but if you look at the overall situation, you are going to find it well to get back to Senator Alexander's question. You can tweak this if you want to about political correctness if that is an issue. You could give the authority to the Secretary to have hearings and go through the rulemaking and make regulations on a specific, narrowly-targeted area. But my suggestion is, before you react to some extreme examples, make sure you realize that, overall, this process is working well——

Senator SESSIONS. I don't dispute——

Mr. POTTS. —but it needs to be tweaked.

Senator SESSIONS. I don't dispute that. A lot of these reviews produce good results. I think it is healthy for a university to be required to evaluate their long-range goals and make decisions about them, but I find it odd that one of the great universities in America finds itself on probation over a dispute over the football coach or how the program is administered. I really care about Auburn. I want it to be successful. I think Dr. Richardson, the new president, is first rate. I have admired him for many, many years, and maybe some good things will come out of this.

But I don't think that is the principle, Dr. Potts. It is not the utilitarian question of whether or not this may have made a positive difference in Auburn at the time. It is a question of whether this university that is producing quality students with great graduate records, whether or not they ought to be the one in Alabama on probation.

Mr. POTTS. I guess we don't know enough about the facts underlying that. I think there was a coincidence in the timing of the situation involving the football program and this other has been going on for many months, so——

Senator SESSIONS. I don't know the details, either, and I appreciate that. I do think that it is healthy to have the oversight, but I think we need to focus more on academic quality.

The CHAIRMAN. Senator Clinton?

OPENING STATEMENT OF SENATOR CLINTON

Senator CLINTON. Thank you very much, Mr. Chairman, and I thank our panelists for being here. On behalf of Senator Kennedy, who wanted to be here, I wanted to State for the record he is very regretful that business has kept him on the floor of the Senate because he is deeply interested in these issues.

I really appreciate what my colleague, Senator Alexander, said because I think he rightly summed up the tension that this discussion represents. I come down very strongly where he does, which is that the autonomy and independence of our higher education system is a precious asset for this country and the last thing in the world we need is to be looking to set government standards of political correctness or incorrectness, nor do we need the government overseeing the assessment of these institutions.

I think that any human enterprise is going to be subject to mistakes, flaws, and aberrational examples of not having fulfilled its highest aspirations. But having been both on the outside and inside of accreditation processes for a number of years, I think on balance it has not only served the institutions well, it has served our country well, and I would hope that we wouldn't be chasing after the aberrational and the extreme and upsetting the general and the positive work that has been done in what really amounts to a remarkable public-private partnership.

I also am one who believes that there is probably a lot more "mad cow" around than there are bad colleges. Less than one-tenth of one percent of our cows are inspected for mad cow disease. We have cows falling down. We have cows going to slaughterhouses who shouldn't be getting into the meat supply. And so far as I know, at least in New York, every single college is reviewed in the accreditation process. Maybe it is not perfect, but it gives me, frankly more personal ease than what we are currently doing in our meat inspection system.

One of the concerns I have is that given the diversity of our higher education system, which again I think is one of the great benefits—I held a meeting last week in Buffalo with public, private, and religious colleges and universities, two- and four-year liberal arts and research institutions, to ask them what they thought about this debate. And around that table were very small religious colleges and very large State universities. To a person, they expressed great concern about what they had heard coming out of Washington about the idea that somehow they would have to take college credits from institutions that they thought were either not accredited appropriately or whom they disagreed with.

I had the president of a small Catholic college tell me that they make a special point of teaching courses from a faith-based perspective and she did not want to be having to grant a transfer credit for a secular history course that was not aligned with her college's standards.

The large universities that I have spoken with in New York are deeply concerned that somehow after developing very thorough processes that have led to articulation agreements, that somehow that would be abbreviated or even eliminated as opposed to leaving it within the hands of the institutions themselves.

So I think that there are a number of issues that certainly have come to my attention in the last several weeks as I have sought out opinions and reaction from the variety of colleges and universities in New York, and New York is now the number one State of destination for college students coming from out of State. So we are doing something right. I think our diversity and our extraordinary range of offerings has created a market that attracts more students from other States than any other place in our country and we have a layered accreditation process.

We do have something of a variety, Senator Alexander, because we not only rely on the regional associations, but the Regents of New York, which is an independent body appointed by the branches of the legislature and the governor, and for very long-terms to remove them from political interference, also accredit some of the institutions.

So I think that this is an area where there certainly is room for a vigorous debate, but I don't think it should be a place to settle old scores and agendas that have to do with the cultural wars that we apparently are going to fight at least for the rest of our combined lifetimes. Instead, we ought to be looking at this issue from the perspective of, I think, great pride in our higher education system.

I think President Cardoso hit the nail right on the head. There isn't anyplace that has done a better job that provides not only tremendous opportunities, but second chances for nontraditional students who, frankly, are not going to be as well prepared, and frankly, may not have had either the family background or the public school or other preparation.

And I would just conclude by saying that according to the recent statistics I have at hand, we still only have 65 percent of our students graduating from high school. We still have less than 40 percent of those students ever entering college. We still have only 20 percent in that cohort earning college degrees within 6 years.

So we have a long way to go and there are a lot of improvements that many of us are focused on in the pipeline to higher education. But if anybody were to look from Mars at the education system of the United States, I think the last piece of it that they would want to start messing with is our higher education system. We have a lot of work to do on preschool, on elementary and high school, and I think we ought to provide as much support as possible where changes need to be made that are appropriate, look into them, but otherwise, I think it is a road we should not go down with respect to interfering with what has produced such an extraordinary product over so many years.

The CHAIRMAN. Thank you, Senator Clinton.

I have to go to a budget meeting, unfortunately, so I am going to turn the meeting over, but before I turn the meeting over to Senator Alexander, I would be interested in this whole e-learning issue. I just see such huge potential, as everybody does, in this op-

portunity to learn via the Internet, but how do we tie it into the issue of making sure that the product is real and the product is producing results, and what is the accrediting agency's true role in this exercise?

Mr. CROW. I think that you will find that many of the benchmarks on e-learning are going to be established by our very traditional institutions who already have reputations for high quality in what they do on ground or in the classroom and will hold their e-learning to those same standards. In fact, it is basically from those people that we evolve our own understanding of what constitutes quality in e-learning.

By and large, I think most folks are not uncomfortable with it when it is provided by a traditional institution. Their discomfort level starts to emerge when it is the sole delivery of a single institution, and their concern at that point is what within that institution stands as the voice or the indicator of quality that you normally find in a traditional institution? There are various ways that they can recreate that kind of internal quality assurance and I think they also look to us, as their accrediting agency, to be the third-party reviewer to see whether they have done it correctly.

So I am convinced, at least within the kinds of institutions that seek regional accreditation or even the institutions that seek accreditation from an agency recognized by CHEA or the Department, that there are some pretty good hallmarks of what constitute quality in e-learning environments.

The CHAIRMAN. Does anybody else want to comment on that?

Mr. WALLIN. Yes, just a moment, if I may. My organization has just finished up with a three-year study of this funded by the Department of Education, by FIPSE, and of course one of the things we found out is that if it came to education quality, that is, what is actually being learned, you cannot hold e-learning to a higher standard than you are going to hold a classroom. And by the way, I agree with Steve. We found that the best systems tend to be a combination, but there is real disagreement here.

There are those of us who feel that much of American higher education is absolutely fabulous, but also feel that those who complain that students are walking in illiterate and leaving ignorant sometimes are saying the right thing, as well. So are you holding them to a higher standard or to the same standard or a lower standard, and I think that is part of the issue there.

And if I might, I noticed Senator Clinton has left, but I did want to mention one thing about her remarks on the fear of losing the autonomy of institutions if we do anything about transfer of credit, and I would just simply say, as far as I know, that certainly would not happen. Everyone I have ever spoken to about transferability of credits agrees that the accepting institution is the one who decides the acceptability of it. We are only talking about the interposition of other agencies doing it.

The CHAIRMAN. Thank you.

Mr. POTTS. I would just like to say, it's AASCU's position that if there is a broadening of the eligibility for financial aid to distance learning type institutions, there is the so-called 50 percent rule that you are aware of. We think the accrediting community is prepared to handle that and judge quality as they do the regular

programs. We think the content of the programs and the learning outcomes are the things that should be measured, not necessarily the mode of delivery.

In one of my other roles, I was a chair at one time of the National Conference of Bar Examiners and got to work with American College Testing on developing tests and looking at their products, and there are any number of tests for rising juniors or whatever that can measure these outcomes in quite a psychometrically sound way so that if the institutions or the accrediting agencies or whatever wish to have more outcomes information, they can get that fairly easily.

The CHAIRMAN. I regret that I have to leave. This has been an excellent panel. It has been extraordinary, but I have to go to a budget meeting. Senator Alexander—you will be in his good hands.

Senator ALEXANDER. [presiding]. It is very dangerous for the chairman to do this. [Laughter.]

Thank you, Mr. Chairman, and I will only keep you a few more minutes, but I would like to pursue, if I may, the idea of whether there are appropriate ways to create a little more, if not competition, choices. Let me mention two or three things I have heard from you and then give each of you a chance to say whatever you would like to about any of this.

One possibility might be—let me ask Dr. Wallin first, if someone is accredited by your organization, are they also accredited by the regional organization, or must they be?

Mr. WALLIN. They must—no, they don't have to be and some of them aren't. But more and more, we are finding that a number of colleges come to us that are accredited by their regionals and they want our accreditation to focus on their academic——

Senator ALEXANDER. But they don't have to be?

Mr. WALLIN. No, they don't have to be.

Senator ALEXANDER. So if a liberal arts college decided that your Good Housekeeping seal of approval was all it needed, that would be fine, and that is a new development. That is the last 10 years, right?

Mr. WALLIN. Yes, sir.

Senator ALEXANDER. So that is an example of how that can work, and I gather in a sensible way. Are there other obvious areas? You mentioned research universities. We have between 50 and 100, I guess is the number, research universities. There is nothing like them quite in the world except in the United States. They are very different than most other institutions. That might be an area. Are there other areas like liberal arts colleges? Let me just go down through the things I have heard. That is one question, other types of—by type of institution.

No. 2, outside the region, as I understand it, the Middle States Accrediting Association doesn't accredit schools in California and the North Central doesn't accredit Vanderbilt. Am I correct about that? It stays within its region?

Mr. WALLIN. You are correct.

Senator ALEXANDER. But wouldn't that be a possibility, to allow—if an institution respected the accreditation of one regional organization and preferred it rather than another, would that not create some choices without terribly altering the system?

Three, is there more power that we could give to the Secretary without making the Secretary an overly intrusive force? For example, the opinion of my legal counsel when I was there 10 years ago was that while I could interrogate Middle States about why it felt it was important to decide whether a woman ought to be on the board of Westminster College and whether Baruch College ought to have an 18 percent minority admission, I couldn't tell it to do anything. I could say it wasn't reliable as an accreditor. That was it. So is there more power the Secretary ought to have toward this goal we are talking about?

And another approach, would there be a possibility of allowing the accrediting agencies to take difficult problems, I mean, clear failures or clear institutions that are not performing, and rather than deal with them themselves, refer them to something else, either the Department of Education or a board created by the Department, because my sense of it is that all the accrediting agencies are asked to do here for the Federal Government is a fairly minimum standard. We are not asking you to turn every institution into Dartmouth. We are just asking whether it is adequate as an institution to receive students who have Federal funds. So what usually happens when you have a marketplace and a set of choices, as we do in higher education, you always have problems on the fringes. So should we have a place for those issues to go other than to accrediting agencies?

So that is four things I gleaned from what you have been saying. I wonder if any of you would have any comment on that. Why don't we just start there and go right down the line.

Mr. CROW. I will try to address as many of the issues as I think I have something to say.

Senator ALEXANDER. OK.

Mr. CROW. I think you may discover, and Dr. Wallin can certainly be the one who testifies to this, that it is not easy to set up an accrediting agency and it is not easy to get it recognized as a legitimate accrediting agency. Quite often——

The CHAIRMAN. By whom? By the Secretary?

Mr. CROW. By the Secretary, because unless you are a gatekeeper now for Title IV funds, the Secretary does not want to evaluate you. So every new agency that seeks to have some sort of DOE imprint on it discovers that it has to ask at least one or two institutions or programs to take the risk of naming this yet-to-be-recognized accrediting agency as a gatekeeper. And so I think that is one thing right there.

I am not arguing that you change the rules of how you get to be recognized as a gatekeeper, but once upon a time, the DOE recognized all sorts of agencies, whether they were gatekeepers or not, and once they decided they were only going to recognize gatekeeping agencies, all of a sudden they no longer provided that service of sort of legitimizing a new agency. CHEA can do some of that, but for some kinds of institution agencies, perhaps CHEA isn't even available to give that kind of legitimacy.

Second, there are options. I mean, they are talked about all the time. Selective liberal arts once upon a time thought that they should set up their own accrediting agency. I have, in fact, encouraged some of them to look at AALE when they were frustrated

with us, and largely it was over assessment of student achievement that they were frustrated with us. We have heard about the research universities frequently thinking about setting up their own. I have offered to help tribal colleges set up their own accrediting agency. So there is talk about it, but when push comes to shove and really trying to get it together, it turns out to be a much more difficult business than a lot of folks want to step into.

Power to the Secretary—I think we learned the lesson of 1992, to be quite honest, and I think all of us are talking about things and doing things differently than we did before that situation, particularly about diversity and what right does an accrediting agency have to be quite, or perceived to be quite as prescriptive as some folks felt that Middle States was at that time. I think the Secretary exercised through the committee the kind of power that he needed to, and that is draw attention to an issue and then leave it to us to try to understand that issue and to respond to it.

The clear failures is a very interesting problem because we do feel that the very institutions that are marginal for us, and yet perhaps fulfilling some important need, we are not as well equipped to actually serve them, to help them meet those problems. We have had conversations about whether we should try to get a program, some funding that could be done through the Department and through their friendly accrediting agency to actually help them. But as we are currently structured, I don't have the funds to step into a troubled college and help it develop the systems it may need to actually turn around and survive.

I hope I have answered several of your issues.

Senator ALEXANDER. That is very helpful. Thank you.

Dr. Wallin?

Mr. WALLIN. Yes. Well, let me speak first of all to this competition, because obviously I am for it. If the Secretary, who is now a Senator, had not decided to free that system up, my organization would not have been able to have applied to the Secretary and receive recognition.

However, it is, I think, unrealistic to expect many more to tread down this path. Not only is it difficult, the real problem is how do you support such a thing? There is a catch-22 here. Accreditation is supported by membership. Well, how do you gain enough members to have the budget paid for if you are starting off and all 4,000 colleges in the country are already members of an organization?

Little by little, some join you, some join both, but it is an expensive operation to do all of this, and I can tell you, as the person who raises the money for all that we do, it is hard to imagine really making headway unless some other way of funding were found. So that is almost a nonstarter, except for getting rid of any artificial barriers, such as the transfer of credit, things of that sort, that were never intended to be our barriers but, in fact, have become them.

As far as accreditation, say referring nonperformers to the Department or something of that sort, I wouldn't have any problem with that except for one thing. On the basis of what? Again, the difficulty is that, by and large, accreditation—we are talking about institutional accreditation now—knows what to do when it sees bad management. It knows what to do when it sees financial problems.

The real difficulty is this. What if it is a wealthy school, it doesn't have financial problems, it has a pretty sound administration and a five-year plan, all of these things, but the fact of the matter is the students aren't being very well educated there? What sort of standards are required in order to do something? Now, granted, we have them and we do something about it, but we don't have 900 members, either.

To give you an idea of what this is like, I will not mention the agency, but not too long ago, a new president took over one of the regionals and had a very strong interest in generating more of a general education program, more liberal education, more required courses, and he tried to do that. We had a meeting of the colleges in his region. They listened for a little while until finally one of the representatives of a State institution said, look, why don't you just get off it? We are not in the business of this precious liberal education. We are not going to do that. Boom, that was it. It is a membership organization, and it makes sense if you think about what the large State institutions are interested in and what the smaller ones are.

Now, are there other groupings? Yes, there are these natural groupings, such as liberal arts colleges and research universities and maybe Bible colleges and other things. But again, those natural groupings are not going to be enough to just generate new accrediting agencies because of the problem of funding them and maintaining them and all of that, but there is not a built-in one.

The only new one I know, accrediting agency that has gotten around that is the accrediting agency, the second one now for teacher education, TEAC, and it was founded out of ACE, wasn't it?

Mr. POTTS. No, CIC.

Mr. WALLIN. CIC, which is a membership organization. So they started off with members. So it is hard to see how one is going to improve things that way.

Give more power over accreditation to the Secretary. Now, if what we mean by that, and I think what we mean by it is this, that the Secretary would then hold accrediting agencies more responsible for student learning. It is not that I necessarily object to the power. I again see the problem is, on what basis? On what basis is SACS, for example, which has, what, 900 institutions, I think, or something, going to be able to say, well, we are having a problem because the administration is fine, the place has been here 200 years, and gee, the presidents are good folks and everything is fine except the real fact of the matter is if you sit in one of those classes, they are really, really at a very low level for what the place says it is doing.

About the only way I could think of that you could do anything like that from a regional accreditor maybe would be to get the school on false advertising, because as a friend who helped me start this up once said, a man very familiar with accreditation said, "Do you want to know what the problem of accreditation is in a nutshell? I will tell you. Accreditation is and should be mission driven, but what that means is this. If you go on a campus and the campus says, 'Our mission is to turn out chicken thieves,' the only

question the accreditor is interested in is, 'Well, are they stealing the chickens all right or not?'" [Laughter.]

Mr. WALLIN. Now, that is, of course, to be a little flippant about a serious matter, but it is a problem that is only solved, it seems to me, with specializing.

What I was suggesting, by the way, is something that is evolving a little bit and that is that some institutions are beginning to see that they want a little bit of both, that the institutional accreditors do a very good job of what they do, but they don't deal with specific kinds of education very well. They don't tend to send the right kind of faculty there. It is always large administrative teams and so on.

So right now we have before us, for example, a college that is already accredited by Middle States and intends to stay accredited and is going to come before my board at its June meeting, as well. So there is a way of working together. It is just a very slow process, trying to get that going. But it seems to work fairly well, and I have spoken with Steve Crow about this and we both accredit at least one institution. So I can't define a silver bullet to do it.

Senator ALEXANDER. I want to make sure I hear from Dr. Martin and Dr. Potts, and then I think we have a vote in a few minutes, so please go ahead, Dr. Martin.

Mr. MARTIN. I would like to try to answer Dr. Wallin's question, on what basis might the U.S. Department of Education play a role here. The cases of accreditation sanctions and withholdings that Senator Clinton called extreme—let us not focus on extreme cases, she said—I remind the committee are the only cases reported in the last 10 years other than what most cases are financial instability and mismanagement, which I think goes back to your comment, Senator Alexander.

We are looking for a basic level here, and Dr. Wallin testified that is what the regional accrediting associations are good at. But the fact is, that could easily be done not by a two-step process, but by a one-step process, by the U.S. Department of Education placing reporting requirements on the college, figuring out what are the criteria you need to be financially stable, appropriately managed, and do you have a coherent mission and so forth.

You could report that, with penalties for fraud, of course. This is how the Securities and Exchange Commission and many regulatory agencies work. You could do some spot checks like the IRS to detect possible cases of fraud. It would be a very clean case. As former Secretary Alexander knows, the financial health of institutions of higher education is already done separately by the U.S. Department of Education. It would not be that much of a stretch to add these other qualifications to make sure, basically, you are a legitimate college, not a fraudulent institution.

So I would suggest—and then, that doesn't mean accrediting disappears. Accrediting, we have to remember, existed prior to the Federal Government stepping in and giving them life or death power over institutions. Then it would be up to colleges to use accreditors for whatever sort of certification they desired, but it would be voluntary and for whatever consulting they desired. But it would be voluntary for the purposes. I think this would meet the needs of the Congress in ensuring the nonfraudulence, let us say, of the student loan program.

Senator ALEXANDER. Dr. Potts?

Mr. POTTS. A couple of things. Right now, the Southern Association just adopted new principles of accreditation to give the on-site teams—they divided the review to off-site teams and on-site teams. There is a clear mandate to the teams, and I am leading 1 week after next, if you see an area of weakness in this institution as a peer, you call that to our attention, and there are these core requirements and these principles, all the way from faculty qualifications to the type of notices that are given to students and other things. And in the law as it exists now, you have to have certain standards with regard to curricula, faculty, facilities and equipment, and so forth. If you want more performance data, you could ask for that on student outcomes.

But one size does not fit all here, and you have got now the option. It was indicated, when I was on the advisory committee, Dr. Wallin's group came before us and was recognized. You can choose that if you would like instead of one of the regional associations. The nursing people adopted a new—we now have two nursing accrediting associations. We just heard about teacher education.

So there are ways now to address these problems that you have raised and there is some market—there are market options. But I think it says a lot that people are not leaving the regionals in droves and that the 100 or so different types of accrediting agencies all have a clientele, and over the last 10 years, there have been new ones created, as Dr. Wallin's group is one of those.

So I think the things that you want to happen, most of them can happen under the existing law or with very slight tweaking of existing law.

Senator ALEXANDER. I want to thank the four of you for a very helpful afternoon. I think all of us, the Senators who were here and those who haven't had a chance to come, are here in the spirit of asking and trying to learn how this works.

Let me ask you one quick question, Dr. Potts or Dr. Crow. When you finish your accreditation visit, your three-day visit, say, at Murray State, which takes a lot of time, and I know that, to whom do you make your report?

Mr. POTTS. We write a report up and then we send it for correction of factual errors back to the institution, no substantive thing. Then we send that report to the Southern Association office in Atlanta. They then refer that report to something called the C and R committees of the commission, which is a 77-member group, democratically elected, and they measure those things that are found against the criteria that are in place and then make a judgment as to whether that is accepted, whether there has to be some follow-up, or whether it is so bad that there has to be some sanctioning.

Senator ALEXANDER. How often does the board of trustees of an institution that you examine call the visiting team in and say, we would like to spend the day or an afternoon with you getting a full report on the strengths and weaknesses of this institution?

Mr. POTTS. We always have exit conferences, and the president——

Senator ALEXANDER. With whom?

Mr. POTTS. The president sets that up as to how broad or how narrow it is. I did one last year for Angelo State. Chancellor Urbanovsky and board members came to that one.

Senator ALEXANDER. Did they?

Mr. POTTS. Yes. We almost always talk to individual trustees, usually the board chair, when we are on the campus.

Senator ALEXANDER. In the private world, often at some point the president is asked to leave the room and the auditor comes in and meets privately with the board and they spend a couple of hours telling him or her whatever needs to be told.

I have a very strong bias here. I haven't been here long enough. I mean, I have got a real concern about two things in higher education which I have already said I think is awfully good. One is the one-way view on so many campuses, which just disgusts me because they are supposed to be places of real diversity, and there are places where quality is lacking.

But I haven't been here long enough to get comfortable with the idea of fixing it in Washington, because as Secretary, I may have been offended by what the Middle States Association did in terms of setting itself up as the arbiter of diversity, but the next administration might completely disagree with me and want to insist on that at every place. You might have Senator Helms or Senator Kennedy. If you get up here, all of this gets into what you are doing and it interferes with the autonomy.

So I am looking for ways, I guess to, put the responsibility for quality back with the president and the boards and to try to understand. However, at the same time we have given this enormous power to accrediting agencies, this enormous hammer, which maybe they didn't even ask for. We don't pay them to do it, which is a good point, Dr. Wallin, although if we did pay you to do it, that would raise all sorts of questions, too. Some Congressman would come right along and want to add about five things he wanted you to check on and three or four cultural aspects of each campus.

Let me invite you, as you reflect on what each other has said today and the questions you have been asked, if you can add to the specific suggestions you have already made, which are very helpful, on ways that we can provide more options for accreditation, make accreditation more useful for quality while at the same time preserving the autonomy of the American university, we would all welcome that.

I thank you very much for joining us and the hearing is concluded.

[Additional material follows.]

ADDITIONAL MATERIAL

PREPARED STATEMENT OF STEVEN D. CROW

Mr. Chairman and Members of the Committee, I appreciate the opportunity to be here today to discuss Higher Education Accreditation. 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 24 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 co-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.

Each regional institutional accreditation agency was created by the colleges and universities it accredits. For the past 50 years these agencies, originally established to provide self-regulation and shared assistance in stimulating institutional and education improvement, have 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 of Federal student financial aid and other Federal grants to those institutions. For the past 15 years in particular, we 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.

As we have every 5 years since the passage of the first Higher Education Act, we are engaged again in very basic discussions about how accreditation generally, but regional institutional accreditation in particular, effectively serves the public interest through its gatekeeping role for Federal funds. A little over a decade ago, the concern was whether accreditation could be an effective shield against fraud and abuse. The last decade, I believe, has shown that it can be. It is fair to say that most of us, although deeply concerned by the new levels of Federal oversight established in 1992, have come to understand, appreciate, and support the relationship we now have with the Department of Education.

But we understand that new concerns mark this reauthorization. We welcome the indications we have received that the link between regional accreditation and Title IV gatekeeping will be retained and strengthened. This is wise policy because:

- 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.
- 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.
- 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.
- Accreditation through private, non-profit agencies provides exceptional service at no direct cost to taxpayers.
- 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.
- Self-regulation of the quality of higher education through recognized accrediting agencies is an effective tool to inform the marketplace because it relies on expert judgments of higher education professionals; moreover, because of that expert judgment it carries significant credibility with the institutions under review.

Without assuming to understand all of the other significant issues that each member of this Committee might want to discuss, I will address the primary issues that my regional colleagues and I understand to figure most prominently in this reauthorization. I will list the matters and provide a brief summary of how most of us in regional accreditation understand each issue and how we would like to shape our relationship with the Department to address it. Several regional associations part of C–RAC have put forward to members of the House and Senate specific legislative proposals. The following comments summarize much of the contents of those proposals.

Institutional and 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 4 years placed achieved student learning at the center of those new standards.

But measuring student learning for the goal of educational improvement, no matter how well it is done, does not automatically meet the current expectation that the findings of those measurements be shared with current and prospective students and the public at large. The fact is that a surprisingly large number of our colleges and universities have lots 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. While concerned about the any law that would summarize educational performance in a few standardized measures applied to all types of colleges and universities, we would support legislation that:

• Continues the expectation that a federally recognized accrediting agency has standards related to successful student learning. We encourage legislative 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 (ED–OIG/A09–C0014, July 2003).

• 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. We highly recommend that this be stated as an expectation for agency practice, not as a requirement for specific learning outcomes standards that a recognized agency must adopt and apply.

• Establishes for Department recognition the creation and implementation by an accrediting agency of a stronger program of disclosure about accreditation processes, accreditation actions, and the finding related to those actions. At this point, the regional commissions have not agreed on a common template that we all might use, but it is one of our highest priorities. We strongly urge that the template for public disclosure not be defined in law, allowing important conversations within accrediting community to create effective and appropriate models.

Student Mobility and Transfer of Credit

Accrediting standards hold that the institution granting a degree must be accountable for the integrity of that degree. Yet we appreciate the fact that transfer of credit is a matter of public concern. Although none of the regional accrediting associations have 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 caution against any wording in this reauthorization that could be interpreted as Federal regulation of this key component of institutional academic integrity. Yet we would support legislation that addresses transfer of credit by:

• Requiring institutions receiving Title IV to evaluate more than the accredited status of an institution in determining transferability of credits awarded by it.

• Requiring that an institution's transfer policies and procedures state unambiguously the criteria that will be weighed in determining transfer of credit.

• Stating that a Department-recognized accrediting agency will have procedures through which it reviews transfer policies during each accreditation review to en-

sure that they meet Federal and agency expectations. While we also caution against adding significant new record-keeping and reporting requirements on transfer, we are willing to be expected to include in our accreditation reviews any public reports on transfer that might be required by State or Federal agencies.

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 a "scheduling option."

The concern about eLearning appears to be directly related to the call to end the 50/50 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 for its abolition should be enhanced scrutiny of distance education (eLearning) currently provided by our member institutions. Therefore, we would recommend that this reauthorization:

- Require Department-recognized accrediting agencies to document that their existing standards provide for effective evaluation of the quality of distance education. We propose that in lieu of defining special standards for eLearning, the bill rely on the standard of comparability: namely, that student learning in eLearning programs be comparable to that in campus-based programs. All regional associations have already been recognized by the Department as providing effective quality assurance for distance education. We would propose that such recognition be honored and, therefore, that we not be asked to review again all of the distance education and eLearning to which we have already extended accreditation.
- Recognize our offer to create and implement processes that allow us to monitor when appropriate those institutions with dramatically increasing student enrollments in their eLearning programs.
- Include, if found appropriate, our offer to document that our peer reviewers are selected and/or trained to ensure their capacity to evaluate eLearning.
- Include, if found appropriate, our offer to include within our reviews of eLearning an evaluation of how the institution documents the integrity of the student in eLearning courses and programs.

Mr. Chairman, thank you very much for the opportunity to testify today. I look forward to learning from my fellow panelists and answering any questions that you and the other members of this Committee may have.

PREPARED STATEMENT OF JEFFREY D. WALLIN

Thank you very much for having me here today. Higher Education in this country is on the road to becoming ubiquitous. This is in large part due to the efforts of many at the state and national levels to provide access to student populations that had not previously attended college. However, in the last two decades serious questions have been raised about whether the quality of higher education has kept up with its growth in access and in expense. Report after report have confirmed what every professor privately groans to himself: the qualifications for success in higher education cannot be reduced to mere native intelligence and ability; almost as important are the skills that we used to take for granted in any high school graduate, but which now are sadly lacking in all too many entering and returning students.

I do not mean to imply that this problem has in any way come upon us unexpectedly. Most of us are familiar with Walter Lippmann's complaint that the modern world has "established a system of education where everyone must be educated, yet [where] there is nothing in particular that an educated man—he meant men and women—should know." But this was preceded by many other observations of the sort, including Winston Churchill's that "education is at once universal and superficial." It is our duty and our responsibility to do what we can to preserve this newly won access to higher education while resisting any increase of superficiality or lowering of quality.

Considerable pressure has been brought to bear on higher education to account for the rising costs of higher education that have accompanied its growth; this, coupled with repeated revelations of what is not being learned at the undergraduate level has resulted in the rapid spread of learning assessment in recent years. Since funding provides one of the few levers by which one may attempt to prod higher education, accreditation, which acts as a "gatekeeper" to federal funds, has been required by law to develop or at least monitor outcomes assessment at its member institutions.

Historically, AALE has been a proponent of educational assessment, and while we remain a proponent, we believe that assessment has been taken as far as it reasonably can be taken by institutional or regional accreditation.

The American Academy for Liberal Education was established in part to strengthen general and liberal learning by establishing substantive academic accreditation standards, such as foreign languages, mathematics, history, philosophy, science, and so on. While we believe there is much to say for this approach, we are aware that it speaks only to the input side of the learning equation, not to the output side, and thus have spent a good deal of time in assessing student outcomes as part of moving accreditation from an almost exclusive concern with resources to a system also concerned with learning.

Our involvement with moving accreditation from a process or resource based instrument to one focused on student learning began several years ago, with major grants over several years from the Pew Charitable Trusts and the John and James Knight Foundation.

Fortunately, considerable work already existed in this field, and with the help of leading figures, such as Peter Ewell of NCHEMS and others, we were able to refine and adapt some of this for use by accreditors.

Following our initial grant, Pew then went on to make grants along the same line to some of the regional accrediting bodies. Although our grant was smaller than any of the others, an independent review commissioned by Pew found the AALE grant to be the only clear success.

Learning Assessment is now, or is becoming integral to undergraduate accreditation. While it is true that assessment is still in its infancy, I believe that its considerable benefits are becoming apparent. Perhaps the most significant of these, from AALE's point of view, is that it has proven to be one of the very few instruments that can be successfully employed to encourage faculty to reconsider just what it is that general education is supposed to do. Answering that question—which is necessary if one is going to assess whether the means chosen to achieve these objectives are working—is the critical first step in what seems to be a return to faculty responsibility for undergraduate pre-major education.

The loss of a core curriculum at many colleges over the past few decades requires this because that loss has of course been accompanied by an increase in variety. But difference resists assessment, making the assessment of such a variety of programs extremely difficult. As much as academic fields of specialization may have their own internal difficulties they do, by and large, agree to the course of study likely to produce a good chemist, engineer, or lawyer. Competent assessment of the effectiveness of such programs is widespread, which is attributable to the common coursework taken by all. Thus we ought not to be surprised that the most difficult comparative data to obtain is of undergraduate student learning, particularly in the general education portion of the curriculum. And so now we have one more argument for restoring the core: in addition to its educative value, its ends can be known and therefore assessed.

Success in accreditation monitored student assessment at the undergraduate level has, as mentioned above, produced considerable good. However, this has been accompanied by a very real cost, a cost in lost time. Assessment has added to the erosion of faculty and administrative time, something itself that may well be responsible for maintaining poor learning outcomes. I believe this loss of time is significant and that we should be careful not to increase it further. We run the risk of reducing the amount of actual teaching taking place on our campuses and perhaps even of creating a huge but artificial edifice of assessment protocols and bodies of evidence whose purpose is mainly to allow faculty and administrators to "give the accreditors what they want" in the shortest and least painful way. The result might turn out to be little more than a cluster of Potemkin villages built of assessment tools and products, not education. Something like this has already resulted at some institutions as the result of goal driven administrations that seem satisfied, not so much with real improvement as by the creation of countless departmental mission statements, often submitted yearly; as if the mission or goals of the Biology Department were expected to change from year to year. The important point is that even Potemkin villages take time to construct, and time to maintain

There is an old saying that "Even a king should not ask for what cannot be given." This, I think, is the heart of the problem we now face. Institutional or regional accreditation was never designed for the kind of assessment that is increasingly desired, and it cannot succeed in producing it. The assessment system currently being developed will not and can not provide the public with what it would like to have: objective rankings of different colleges and departments as an alternative to the resource-driven rankings of popular magazines. The means necessary to obtain such information, at least through regional accreditation, would risk destroying some of the most valuable characteristics of American higher education, namely, faculty and college autonomy, freedom, and judgment. To produce truly comparable data, regional bodies would have to impose the same requirements and therefore the same kind of education upon their entire regions, and then throughout the country.

In short, I believe the current legal standards on this issue are adequate as they stand. Let me remind us of what it says.

§602.16 Accreditation and preaccreditation standards

The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, including, as appropriate, consideration of course completion, State licensing examinations, and job placement rates.

As will be noticed, section (i), which is most relevant to this issue, includes these qualifiers: "in relation to the institution's mission" and "as appropriate."

We believe that a stronger demand, such as the one proposed by C-RAC would make things worse rather than better by further institutionalizing assessment as the goal of education rather than as simply one means to it.

All too often objections from the accreditation community are treated as merely self-serving or as ways of trying to avoid legitimate public scrutiny. I would not argue that this is never the case. But in the case of learning assessment it is precisely those of us who were on the forefront of demanding more of it who are now sounding the alarm lest it overtake in importance learning itself. Perhaps is time to recall the old Midwestern observation that "You don't fatten a hog by weighing it."

I wish to make it clear that nothing in these remarks is intended to suggest that better assessment cannot be achieved. My object has been to show that regional or institutional accreditation is not a proper vehicle for doing so. In my view institutional accreditation regarding student assessment should be left exactly where it now is, namely, ensuring that colleges and universities have procedures in place for demonstrating that they possess adequate means of assuring themselves that their educational purposes are being met. The range of acceptable procedures should be very wide, so as to accommodate the enormous variety of education offered in this country.

Are there no other ways of strengthening the link between accreditation and learning assessment? Yes, I believe there are, at least if one is willing to reconsider the present structure of accreditation.

It would be possible to revamp the present accreditation system so as to obtain the kind of answers the public seeks. Although regional accreditation is not set up for the sort of assessment that is apparently being asked for, other forms of accreditation are set up to do this. In fact, the fields of specialization represented by specialized accrediting agencies have always concerned themselves with content assessment. We do not hear any public outrage to the effect that students are graduating with biology degrees ignorant of biology, or that musicians, who have for centuries had to meet high performance standards, cannot play their instruments. Assessment works when it is focused on a specific subject or activity and when it is judged by experts in the field. The problem lies within the general education portion of the curriculum, which does not present a uniform entity to asses, and where expertise is not so easy to find.

This is why Milton Greenburg has argued ("It's Time to Require Liberal Arts Accreditation," in the AAHE Bulletin, April, 2002) that the only way to solve the assessment problem as it applies to the academic skills so many claim are not being taught or not being taught well, is to move in the direction of specialized assessment of general education and liberal education even though the latter is often defined as the opposite of specialized education.

One possibility would be to hold the specialized accreditors responsible for general education. As it now stands, almost all of them require students to enroll in such programs, but the quality of the programs are assumed to have been assured by regional accreditation. Since we know that this is a false assumption, perhaps the subject specific accreditors should demand directly from the institutions themselves evidence of the skills and knowledge they claim their students are acquiring. Another way would be for most or all of the specialized accreditors to come to some sort of agreement as to just precisely what it is they expect from such programs and then design means of testing for them just as they now test for accomplishment in their fields through exams, performances, exhibitions, and so on. While I believe this might work, I must point out what I consider to be a very real objection to this suggestion, at least from the standpoint of AALE. Given that liberal education is already under assault from those who believe that only concrete skills and specialized knowledge is useful, I would be very cautious about any solution that would lead to more specialization, since it is hard to believe that it would not be detrimental to the wider hopes and ambitions of liberal education.

Another possibility suggested by Greenburg would be to reorient undergraduate accreditation away from the present geographically based system (an historical remnant of the past rather than a well designed tool for the current century?) to a subject or institution based system. That is, there could be a number of institutional accrediting agencies that focus on separate kinds of institutions or forms of education, regardless of where they may be located. Thus we might have an accrediting agency for research universities, one for liberal arts colleges, one for community colleges, and so on, bringing a new form of expertise to bear on specific forms of educational institutions. (AALE, of course, is just such an agency, one that deals with the liberal arts exclusively.) This would, in effect, turn undergraduate student assessment over to scholars in the fields being assessed, thus bringing the strengths of subject mastery to assessment. Even in the case of liberal education we have people who, while not being degreed explicitly in liberal education, understand the liberal arts and more importantly, understand the relation between them and the goals that lie beyond them. Regional accreditation might then be allowed to concentrate on what it does best, assuring the reliability of the processes and resources of educational institutions, and weeding diploma mills out of the system. (Of course, not all specialized accreditation performs so well, which is a good reason for encouraging competition in all fields of accreditation. If, for example, NCATE is thought by many not to contribute to strengthening teacher education, then by all means start up an alternative, such as TEAC.)

I'm sure one could come up with other ways to improve content assessment, but the point here is that demanding it from the regionals is only likely to increase the problems faced by higher education, not reduce them. They were never intended to do this and pushing them in this direction is likely to be unproductive as well as unfair.

Before closing, let me bring up a few other issues. I have mentioned above the virtues of competition. Unfortunately, however, the accreditation market has not been competitive for some time now. One of the reasons is that the transferability of student credits has been held up by organizations that at one time had no need to draw distinctions between institutional and regional accreditation. Thus, to adopt a policy that course credits can only be transferred from one regionally based accrediting agency to another, a policy that made some sense long ago when they were written, has the effect today of placing artificial barriers between good students and good educators. C-RAC addresses this problem but does not go as far perhaps as it should. If a school's course credits are accepted because it is accredited by a regional agency, why is this superior to a school accredited by a non-regional agency with strong academic standards so long as it is also recognized by the Secretary? This is to place altogether arbitrary restrictions on a publicly funded system in a country in which geography matters less and less. AALE believes that the final decision to accept or not accept course credits from another college is the individual institution's prerogative, but to be defensible, that prerogative must not be artificially skewed to favor a system designed prior to present realities. Until such artificial barriers to transfers of credit are lifted, the illusion of a fair playing field will remain just that, an illusion.

PREPARED STATEMENT OF JERRY L. MARTIN

By federal law, college accreditors have a loaded gun pointed at the head of every college. They have the power to close the door to federal funding, including access for their students to the federal student loan program—access without which col-

leges today cannot survive. This is an extraordinary power for a private entity. It requires a strong burden of proof to show that this power is warranted.

The rationale for giving this power to accreditors is to ensure quality. That is what surveys show the public wants and that is what Congress thought it was getting when it authorized the accrediting system.

In theory, accreditors guarantee quality. Does the reality match the theory? College accreditation became a mandatory feature of the federal student loan program in 1952. Have they been successful in ensuring academic quality since that time? What is the evidence? Those are questions asked by the American Council of Trustees and Alumni in its recent study, Can College Accreditation Live Up to Its Promise? My comments today will focus on three areas: grade inflation, the curriculum, and academic freedom.

1. Grade Inflation. Grade inflation has been increasing over the last 40 years, not decreasing. Nothing is more essential to upholding quality and motivating academic achievement than giving honest grades. Another report by the American Council of Trustees and Alumni, 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 reported last week 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 that 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.

2. Curriculum. 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.

A 1996 study conducted by the National Association of Scholars concluded that:

"[During] the last thirty years the general education programs of most of our best institutions have ceased to demand that students become familiar with the basic facts of their country's history, political and economic systems, philosophical traditions, and literary and artistic legacies that were once conveyed through mandated and preferred survey courses. Nor do they, as thoroughly as they did for most of the earlier part of the century, require that students familiarize themselves with the natural sciences and mathematics."

Ten years ago, a comprehensive study by a University of California at Los Angeles team headed by Alexander W. Astin found that, although almost all colleges claim to have a core curriculum in their brochures, only 2 percent have a "true core curriculum."

According to the National Association of Scholars study, courses on English composition, which used to be an almost universal requirement, have eroded by one-third since 1914. Needless to say, the universities studied are all accredited.

When the American Council of Trustees and Alumni surveyed college seniors' knowledge of American history, it found that only one in four could correctly identify James Madison or George Washington or the Gettysburg Address. The study also found that, of the 50 colleges studied, not a single one required a course in American history and only five of them required any history at all. Needless to say, these schools are all 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."

In light of these courses, it is hardly surprising that the Association of American College's study, Integrity in the Curriculum, concluded that, as for what passes as a college curriculum, Cole Porter's lyrics sum up the situation: "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." In short, if meat inspections were as loose as college accreditation, most of us would have mad cow disease.

3. Academic Freedom and Intellectual Diversity. Freedom of inquiry is essential to the life of the mind. A robust "marketplace of ideas," as Oliver Wendell Holmes, Jr., called it, is the essential incubator of thought and learning. Professors must be free to pursue truth wherever evidence and reasoning lead. Students must be exposed to opposing points of view, be given the knowledge and skills necessary to make up their own minds, and be free from intimidation.

Yet it has been over ten years since Harvard president Derek Bok and Yale president Benno Schmidt sounded the alarm and warned the public that the major threat to academic freedom in our time is political intimidation on campus—which has come to be known as "political correctness."

A 1994 study by Vanderbilt University's First Amendment Freedom Forum found that more than 384 colleges had adopted speech codes or sensitivity requirements that threaten academic freedom. Currently, the Foundation for Individual Rights in Education has a database, accessible at its website that contains hundreds of current policies restricting free speech.

And the Student Press Law Center finds that, since 1997, more than 370,827 student newspapers were stolen and destroyed by students who disagreed with their point of view. We are not aware of a single instance of accreditors raising a concern over this issue although it clearly diminishes the intellectual debate that is so essential to education.

A recent Smith College study showed a disturbing one-sidedness in the partisan affiliation of faculty members in the humanities and social sciences—a pattern so marked that, if race or gender were involved, it would be regarded as clear evidence of discrimination.

Diversity of ideas could be provided by outside speakers. But students and some professors regularly complain that panels on controversial public issues are almost always one-sided. Sometimes dissenting speakers are not even permitted to speak. Speakers as distinguished as Henry Kissinger and Jeane Kirkpatrick have been prevented from speaking because some students or faculty objected to their views. Former Assistant Secretary of Education Chester E. Finn has summed up the situation by describing universities as "islands of repression in a sea of freedom."

These restrictions on free and open debate are intolerable and clearly diminish students' educational experience. And yet accreditors have failed to address these issues effectively.

If the accreditors are lax when it comes to enforcing standards of educational quality, what demands are they placing on universities? It is hard to find cases of a denial of accreditation where the financial solvency of the institution is not at issue. Yet, in this area, accreditors are largely redundant. 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 de-

mographics 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.

Meanwhile, Auburn University's accreditation is currently 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 this is what Congress envisioned when it gave accreditors the power to cut off a university's federal funds.

Accreditors have also had a pattern of imposing their own social philosophy on the colleges. As a result, some educational leaders have even had to face the prospect of incompatibility between accrediting standards and the very nature of their institutions. In the best-publicized instance of such conflict, Thomas Aquinas College was threatened in 1992 with a loss of accreditation due to the fact that its avowedly Catholic, traditional orientation had no room for the multicultural courses that its accreditor was prescribing. The Great Books curriculum at Thomas Aquinas was the very key to the school's mission—so much so that there were no elective courses at all. As the college's president, Thomas Dillon, said at the time: "In the name of advancing diversity and multicultural standards within each institution, [proponents of diversity] are imposing their own version of conformity and threatening true diversity among institutions."

That same year, the accrediting association was denounced by President Gerhard Casper of Stanford for "attempting to insert itself in an area in which it has no legitimate standing."

Similarly, accreditors threatened to sanction Baruch College on the grounds that 18 percent minority representation on the faculty was not enough and Westminster Seminary because composition of the governing board was not gender-balanced.

At the time, Education Secretary Lamar Alexander wrote, "I did not know that it was the job of an accrediting agency to define for a university what its diversity ought to be."

Secretary Alexander took decisive steps to correct the problem—at least with regard to formal criteria. Since that time, the problem has gone underground. Each accrediting team has enormous latitude to apply its own particular brand of social philosophy and can do so with relative impunity since rarely is the accrediting process made public. At Tulane, for example, the president announced in 1995 that, to comply with accreditors' demands, 50 percent of all faculty hires outside the Medical School would have to go to minorities—a quota of precisely the sort the Supreme Court has consistently ruled unconstitutional.

A heavy-handed insistence on demographic quotas is not as dangerous, however, as dictation of what intellectual approach faculty should present to their students. At an urban public university, to cite one 1999 case, the accrediting team actually had the gall to tell the institution to alter its mission along ideological lines: "The College mission and vision and department goals and objectives, as well as the assessments, should be developed around global concepts of race, class, and gender"—the three code words for a politically correct agenda.

If we judge accreditors on their performance, it is a record of persistent failure. On their watch, colleges have experienced runaway grade inflation, curricular disintegration, and the closing of the "marketplace of ideas."

Our original question was: Is the life-or-death power over colleges and universities that federal law gives accreditors warranted? Since the rationale for the power is to ensure quality, the question becomes: Do accreditors ensure educational quality? The answer must be a resounding, "No." They do not ensure educational quality. In some respects, they make it worse. Their power is not warranted.

What is the solution?

The ideal solution is to de-link the federal student loan program from accreditation. A much simpler procedure—and one infinitely less costly and inefficient—could be set up within the U.S. Department of Education to certify qualified institutions. It could be similar to required reports and penalties for fraud used by the Securities and Exchange Commission. This should be sufficient to identify the institutions that are "colleges" in name only.

In addition, for public universities, there are already two sources of accountability.

First, 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.

Second, state higher education agencies—such as the Colorado Commission on Higher Education and the State Council of Higher Education for Virginia—are embarked on what has been called an "accountability revolution." They are framing performance measures that look at educational results and not just inputs. Former U.S. Senator Hank Brown, a former college president, 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. If Stanford, Baruch and Thomas Aquinas had had an alternative in 1991, the accreditors would never have become so high-handed. If current accreditors are so reluctant to apply meaningful standards of quality, why not allow alternatives that will?

There are two promising alternatives that can provide much-needed competition.

First, the American Academy for Liberal Education was founded explicitly to set a high academic standard in the liberal arts and provides an alternative to the regional accrediting associations. Less than ten years old, it has been approved by the U.S. Department of Education and accredits a number of colleges and academic programs, such as honors colleges. These colleges take pride in being able to meet the high standards upheld by AALE—it is like a Good Housekeeping Seal of Approval—and thereby assure potential students and their parents that this is a school of unusually high quality.

Second, Congress should consider Senator Brown's suggestion that perhaps the states could accredit institutions—on a purely voluntary basis—if they so chose. Originally, the Higher Education Act did allow states this option. New York has done so in nursing and vocational education without problems but, since the early 1990s, this opportunity has been denied to other states. 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 American Council of Trustees and Alumni hopes that Congress will address these important issues of educational quality and accountability and encourage competition among accreditors.

PREPARED STATEMENT OF ROBERT L. POTTS

Chairman Gregg, Members of the Committee, Ladies and Gentlemen: Good afternoon. I am Robert Potts, President of the University of North Alabama. I also serve on the Board of Directors of the American Association of State Colleges and Universities, and have worked extensively in the accreditation field for more than twelve years. I offer my testimony today on behalf of the American Association of State Colleges and Universities ("AASCU") which represents more than 425 public colleges, universities, and university systems located throughout the United States and its territories. These institutions enroll nearly 3.5 million students—more than half of all students enrolled in the nation's public four-year institutions. On behalf of our member institutions, I am grateful for your invitation and pleased to be with you today.

The central issue before your Committee today appears to be how can the existing accrediting and federal financial aid systems assure better quality and accountability for higher education students and the public? Ladies and gentlemen, based on my perspective as a university president and a long-term accrediting volunteer, the short answer is that a fair review of the evidence throughout this country will show that the present system that exists under the Higher Education Act—with the Department of Education working in partnership with the regional, national, and specialized accrediting agencies that are recognized by the Secretary of Education—does an excellent job in most cases for students and the public. Certainly, de-linking accrediting and eligibility for federal financial assistance would damage irreparably the system for quality assurance that exists in this country today. To do this would leave no effective way, short of massive expenditures for federal inspectors and reg-

ulators, to replace thousands of accrediting volunteers throughout the country who work tirelessly year-in and year-out to assure that quality standards are met by higher education institutions to protect students and the public.

Based on my years of experience in the field, and also from my service on the National Advisory Committee on Institutional Quality and Integrity for six years, I can point to example after example where the current system has resulted in significant improvement of quality on campuses throughout the country. The system that exists whereby: (1) an institution studies itself as measured against democratically developed quality criteria; (2) the institution then is visited by a team of peers from other institutions who write a report; (3) that report is critiqued by another group; and (4) finally, advice is given to the institution as to where improvements need to be made, results on most occasions in significant improvement to the academic programs and institutions in question.

For example, I know of one institution that had a number of overseas and distance learning programs that had developed rather quickly. That institution received over 100 recommendations for improvement from its accreditor. These recommendations were taken seriously, and when the next accreditation visit occurred a decade later, the institution had greatly improved its quality and received less than ten recommendations following the reaffirmation of accreditation process. Frequently, accrediting teams that visit institutions are viewed and serve as unpaid consultants to suggest best practices to help improve the institution or program.

The highly regarded Council for Higher Education Accreditation (CHEA) has identified nine characteristics of American higher education accreditation that make it unique and effective:

Involves judgments of quality and effectiveness of an institution/program against a set of expectations (standards, criteria).

Is a form of non-governmental self-regulation as contrasted to compliance with state and/or federal rules, regulations, and codes.

Is grounded in the institution's or program's mission, history, and sense of purpose.

Acknowledges and respects the autonomy and diversity of institutions and programs.

Provides assurance to the public that accredited institutions and programs meet or exceed established public expectations (standards) of quality.

Is the responsibility of an external commission.

Requires faculty involvement to be valid.

Is conducted on a cyclical basis, usually 5-10 years. (Shorter cycles are used when serious problems are noted.)

Recently has emphasized student learning and development as an important criterion of effectiveness and quality.

More and more, accreditors are focusing their standards on outcomes to a greater degree than inputs. Additionally, they require sound planning, sound financial information, basic good governance procedures, and quality academic programs. The experience following the 1992 reauthorization of the Higher Education Act showed that with the cooperation of accrediting agencies and the Department of Education, student loan default rates could be lowered significantly.

However, any complex arrangement of this type has areas where improvements can be made, and I commend this Committee for looking for those areas with this hearing. AASCU is pleased to offer some constructive suggestions concerning the existing Higher Education Act and regulations.

I. AREAS FOR POSSIBLE CONSTRUCTIVE CHANGE OF THE HIGHER EDUCATION ACT

Student achievement

If the statutory standard for student achievement in the HEA is amended, it should take into account the differing missions of institutions and the respective natures of their student bodies. Institutions should maintain the authority to determine which measures are appropriate for assessing student achievement in their academic programs. One size does not fit all.

Transparency and Disclosure

AASCU supports greater transparency and disclosure in the accreditation process. I suggest that there must be a balance struck between the damage that could occur to institutions by disclosure of raw accrediting reports and the public's right to know of the quality deficiencies of institutions of higher education. The HEA could be amended to require accreditors to prepare and make available a brief summary of the results of any comprehensive review or significant interim reports that led to sanctions, or could require that mandated educational reforms required by the

accreditor be made public at the conclusion of the process. Interim accreditation reports that are progress based should not be required to be released, since they frequently contain inadvertent errors that may irreparably damage institutions if made public before they are properly vetted through the process.

Distance Education

Should Congress determine to expand eligibility for Title IV financial aid in distance education, it should utilize accreditation to assure quality in new programs or participants. Congress should not mandate separate and additional standards for accreditation of such programs, since it is the content of programs—and not the delivery system—that is important in making judgments about such programs. In addition, accreditors should ensure safeguards on the integrity of degree programs and the evaluation process used.

Transfer of Credit

AASCU firmly opposes the direct involvement of the federal government in regulating inter-institutional academic practices such as the transfer of credit. Such issues are most appropriately handled through the collaborative efforts of accreditors and institutions. The attached letter from the American Association of Collegiate Registrars and Admissions Officers to the Honorable Howard P. "Buck" McKeon, Chair of the House Subcommittee on 21st Century Competitiveness, dated December 15, 2003, accurately reflects the position of AASCU on these issues.

II. CONCLUSION

Thus, the American Association of State Colleges and Universities supports the current model of federal financial assistance linked to accreditation. The current system works quite well in assuring academic quality, loan repayment, and accountability. However, AASCU supports targeted and specific improvements to the HEA that maintain the appropriate balance between federal, state, and institutional responsibilities for quality assurance. AASCU continues to believe that voluntary regional accreditation:

Plays a crucial role in maintaining public trust and assuring quality, but must become more transparent if it is to remain relevant in an environment that emphasizes outcomes and seamlessness;

Is the best means to avoid governmental intervention into the academic affairs of colleges and universities;

Has a track record of commitment to accountability;

Has enjoyed considerable success in quality assurance and improvement; and

Assists students, employers, government, and the public by providing reliable baseline information about the quality of institutions and programs.

I invite you to work with us in our efforts to improve voluntary regional accreditation. I commend you for re-examining these important issues and allowing me the opportunity to express our views on them today.

PREPARED STATEMENT OF JUDITH EATON, M.D.

Chairman Judd Gregg and Members of the Committee: On behalf of the Council for Higher Education Accreditation (CHEA), we submit for your written record the following testimony on accreditation and Federal policy. We respectfully request that it be added to the printed record for the Senate Committee on Health, Education, Labor and Pensions (HELP) hearing held on February 26, 2004: "Higher Education Accreditation: How Can the System Better Ensure Quality and Accountability?"

SUMMARY

There are four major elements to our submission:

- a framework, stated in the CHEA *Reauthorization Agenda*,
- comments on witness testimony,
- responses to questions and observations from Senators, and
- CHEA conclusions about the hearing.

First we provide a general framework for the committee to consider accreditation issues in the Higher Education Act (HEA), building on a sound system and making minor improvements to enhance accountability. We then comment on the many observations and suggestions made by your hearing witnesses, concurring with most and explaining our differences with others. We comment on the observations and reply to the questions raised by the Senators at the hearing.

We conclude by noting that the important accreditation issues were raised and vital principles were laid on the hearing record. Minor adjustments in HEA can im-

prove the accreditation by further strengthening its accountability. CHEA has proposed and supports such changes, based on the diversity of institutional missions and the student bodies served by our highly competitive system of higher education. We urge that any HEA amendments on accreditation be narrowly drawn and thoroughly vetted to avoid unintended consequences.

THE CHEA REAUTHORIZATION AGENDA

In May 2003, the CHEA Board of Directors approved a document, the CHEA *Reauthorization Agenda*, with general principles to guide the Congress as it considers revised HEA legislation. A copy of this two-page document is enclosed. The *Agenda* states that voluntary peer-based quality assurance by higher education is a sound system that serves the public interest well, but that reforms of certain means of accreditation could improve the accountability of the overall process. It encourages Congress to build upon the strengths of the present Federal relationship with accreditation and to reaffirm it as the basis of Federal law to assure the quality of higher education institutions and programs that receive Federal funding. It proposes expanded commitment to accreditation in student learning outcomes, distance education, and, additional information to the public the findings of accreditation review, as well as a clarification of institutional transfer of credit policies. These suggestions are made in the context that institutions retain decision-making responsibility for their academic policies, based on their varied missions and the diverse student bodies they serve. We commend the CHEA *Agenda* to your committee.

COMMENTS ON WITNESS TESTIMONY

The four witnesses before your committee on February 26 provided a wide range of ideas and suggestions on HEA and accreditation. In general, we concur with most of these views and proposals, with the notable exceptions that we oppose the "delinkage" of accreditation from Federal eligibility and we respectfully disagree with the statement that accreditation is failing to carry out its assigned role under HEA law.

Dr. Crow laid out the positive developments in accreditation over the last decade and addressed specific accreditation issues under active consideration in the Congress: learning outcomes, distance education, disclosure and credit transfer. As Dr. Crow noted, his suggestions address the same issues as the CHEA *Agenda* cited above. However, we do not endorse his specific statutory language, believing that additional discussion with the committee is needed to assure the best approach on these issues.

Dr. Wallin observed that regional accreditation did a good job at assuring basic quality, but that other efforts were needed to improve assessment in order to address the decline of standards in liberal learning. We, of course, associate ourselves with the statement that accreditation is doing its job, but believe that recent and ongoing efforts by institutions and accreditors are addressing the improved assessment needs where appropriate. Dr. Wallin's own American Academy for Liberal Education provides a telling example that accreditation can address these issues in a better way where institutions seek another approach. Like three of your witnesses, we do not encourage the Federal Government to add greater controls on the academic work of institutions and accreditors.

We respectfully disagree with the policy direction and specific content of Dr. Martin's testimony, as did your other three witnesses. We believe that he failed to provide useful and credible evidence to support his many claims of systemic failure of accreditation. And we oppose the idea that State and Federal regulators could replace the thousands of peer-volunteers presently serving to improve quality at our colleges and universities in the current accreditation system. The unworkable idea of State controls was placed in the HEA in 1992. It was known as "SPRE," the State Postsecondary Review Entities. SPRE was never implemented, totally discredited, and repealed by the Congress in 1998.

Dr. Potts presented a sound rationale for reaffirming the current system and making modest adjustments to improve the accountability of accreditation in recognition of increased public expectations. Potts urged specific proposals put forward by AASCU, the American Association of State Colleges and Universities. We agree with Dr. Potts' strong statement that the attacks made by Dr. Martin do not conform to his personal observations and experience with the National Advisory Committee on Institutional Quality and Integrity, the Federal advisory body on accreditation, and in the field leading accreditation visiting teams. Our own experience and observations support these conclusions of Dr. Potts.

RESPONSES TO SENATORS QUESTIONS AND OBSERVATIONS

The questions and comments by the Committee Members indicate a strong interest in accreditation issues, which we welcome. In our view, the hearing served the committee well by illuminating important principles in the relationship of the Federal Government with accreditation and how the present relationship established under the HEA serves the public interest. Your hearing also focused on possible areas of improvements in the HEA reauthorization.

Our comments begin with two points raised at the hearing by **Senator Gregg**, who first observed that the question before the committee was whether to change accreditation law in HEA a little or a lot. We respectfully suggest that the preponderant balance of evidence from both the witnesses and the indications of the views of Senators at the hearing should lead your committee to conclude that small changes are needed and that massive changes would be counterproductive. We note that CHEA and three of the four witnesses are firmly in this camp. Concrete suggestions have been brought to the Congress on the best ways to do so.

The second point from Chairman Gregg regarded distance education. Several witnesses replied that the law does not and should not add new and separate education standards for institutions and their accreditors. We concur. While accreditors and institutions have developed new techniques and processes to usefully assess distance education, the basic premise should be that standards are the same for all delivery systems. Should the Congress choose to expand Federal eligibility to new distance education programs, accreditation organizations have already demonstrated their ability to provide quality assurance.

Senator Alexander made several important statements essential to a sound reauthorization of the HEA. We applaud his expressed wariness toward any proposal to restrict the autonomy of institutions, because autonomy is a key to their success. We likewise applaud his emphasis that Federal law does and should direct accreditation to determine "sufficient quality" as the correctly minimal standard, in order to receive Federal support. This understanding is vital to sustaining the proper balance of government and voluntary activity. It allows accreditors to do their work well and keeps them and the government out of other areas best left to academic officials on campuses. Also, he observed the role of the marketplace of student choices in United States higher education and the need to sustain freedom of choice. These are foundations of sound accountability in HEA programs.

We also agree with two other principles Senator Alexander voiced at the hearing as very useful guidance for his Senate colleagues. He cited grade inflation as a problem, but noted that it should be solved by campus presidents, and not by accreditors or the government. And he properly rejected the proposed role of States replacing accreditors as a useful determinant of minimum quality because "no State would unaccredit itself."

Senator Alexander challenged the higher education community to offer additional ideas to improve voluntary accreditation while maintaining its significant advantages for students, their institutions and the public interest. We especially would like to explore the means and the implications of his question, also raised by **Senator Sessions**. How can the new HEA law encourage more choices and less monopoly in accreditation while sustaining institutional autonomy? Several witnesses cited some examples of competition in the present system. CHEA hopes that we may be able to provide some ideas to the committee that might be helpful.

In direct reply to two of Senator Alexander's questions, we share the views expressed by the several witnesses that it would be difficult to improve the Federal interests by expanding the Secretary's authority over accreditation or utilizing some special Federal panel for accreditation disputes. Either of these two approaches would likely upset the balance among Federal and State Government authorities, institutions and voluntary, private accreditation organizations. It would be especially difficult to establish in law and regulation any sound and objective criteria whereby either such authority might be invoked.

Finally, we appreciate the observations made by **Senator Clinton** on the valuable contributions and high quality of our higher education institutions and our voluntary system of accreditation. We note especially her agreement with Senator Alexander in her statement that "the autonomy and independence of the higher-education system is a precious asset." Senator Clinton's view that higher education and its quality assurance serves our country well and should not be upended sounds to us like a very useful basis for the HEA deliberations.

CONCLUSIONS

Your February 26 hearing placed on the record the important higher education quality assurance issues facing our country. The hearing provided a variety of views

and offered numerous proposals. With one strong exception, the hearing record urges the Congress to reaffirm the half-century partnership of voluntary accreditation with the Federal Government to assure that higher education institutions and programs receiving Federal funds provide a quality education. Two Senators stressed that autonomy in academic decisions is a key strength and a reason for the success of higher education in our country.

Minor adjustments can improve the system to address newly-manifest public expectations for clear accountability. CHEA has proposed and supports such changes, so long as they are rooted in the primacy of institutional missions and the different students served by our diverse and highly competitive system of higher education. Given the complexity and fragility of the vast matrix of colleges, universities and schools supported by the HEA, we urge caution that any amendments be narrowly drawn and thoroughly vetted to avoid unintended consequences. We repeat our offer to serve as technical advisors to the committee in drafting amendments, as we have the expertise and contacts with the field to understand fully how any change in the HEA law might work in practice.

Thank you for the opportunity to provide this submission to your hearing record.

COUNCIL FOR HIGHER EDUCATION ACCREDITATION

A Reauthorization Agenda for Accreditation and Accountability Reform

May 2003

An Agenda for the Congressional Reauthorization of the Higher Education Act

INTRODUCTION

THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION (CHEA) REAUTHORIZATION AGENDA places primary emphasis on accountability reform in accreditation. The six goals of the agenda call on accrediting organizations, institutions, and programs to strengthen and expand the commitment to accountability in accreditation as key to meeting the changing needs of higher education and society.

Accountability reform must take place in a context of continued commitment to self-regulation through accreditation as the central means of assuring the independence and academic quality of higher education. Advocacy for a strong system of accreditation is also advocacy for the current mission-based, decentralized structure of higher education with its core commitments to institutional autonomy and academic freedom.

The CHEA Reauthorization Agenda builds on the current strengths of accreditation:

- Accreditation *provides value* by routinely affirming and working to improve the academic quality of higher education.
- Accreditation *has historically been accountable* to students, families, government, and the public as part of a range of accountability initiatives used by higher education institutions, faculty, and governing boards.
- Accreditation *is responsive* to significant changes in higher education, such as distance learning and international education.

GOALS FOR ACCREDITATION AND ACCOUNTABILITY REFORM

CHEA's reauthorization goals address accreditation and accountability in relation to student learning outcomes and institutional performance, information to the public, distance learning, transfer of credit, and key principles of accreditation. The goals also include proposed legislation for accreditation and accountability reform.

Goal 1. Expand development and use of evidence of student learning outcomes as well as evidence of institution and program performance in accreditation review in order that this evidence play an increasingly influential role in judgments about academic quality and accredited status.

Goal 2. Expand information to the public about the findings of accreditation review as this information is developed by accrediting organizations, institutions, and programs.

Goal 3. Assure quality in distance learning by calling for appropriate quality review of any distance learning providers or offerings that are newly eligible for Title IV (Student Assistance) funds.

Goal 4. Take additional steps to strengthen transfer of credit to meet student access and mobility needs in those instances in which accredited status may be problematic as transfer decisions are made by institutions and programs.

Goal 5. Advocate accountability reform in accreditation in the context of four principles on which accreditation operates:

- Accreditation is committed to the *efficacy of a national decentralized, mission-based approach* to higher education as well as to accreditation.
- Accreditation *is a private self-regulatory undertaking* and not a state actor or arm of the government.
- Accreditation has *primary responsibility for judgments about academic quality in higher education.*
- Accreditation is responsible for *judgments about the general fiscal and administrative soundness of institutions and programs,* but not for their compliance with Title IV (Student Assistance) of the Higher Education Act (HEA).

Goal 6. Present proposed legislation *(The Academic Quality and Higher Education Accountability Reform Act of 2003)* for accountability reform in accreditation and commitment to the value of accreditation to assure academic quality.*

*Under development

THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION (CHEA) is a nationally based, nonprofit organization that coordinates institutional and programmatic accreditation and represents degree-granting institutions and accrediting organizations. CHEA's primary responsibilities are advocacy for self-regulation of higher education through voluntary accreditation, scrutiny ("recognition") of accrediting organizations, and articulation and presentation of key accreditation issues and challenges to higher education, government, and the public.

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[Whereupon, at 3:28 p.m., the committee was adjourned.]

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