

**HEA Reauthorization Action Alert**  
**Issue Briefs and Talking Points**  
May 21, 2008

**Accreditation**

*Issue Summary: The draft conference bill assures that accreditation will not be used by the Secretary of Education to dictate rigid student achievement standards. However, it backtracks on important protections against Secretarial interference in other academic decisions. It also adds language that turns accreditors into enforcers of federal institutional reporting requirements.*

*Messages:*

- **Thank you** for including provisions in the final bill that preserve an institution's ability to choose how it demonstrates student success; restrict the Secretary's ability to regulate in this area; and include congressional appointees to the National Advisory Committee on Institutional Quality and Integrity (NACIQI).
- **Respectfully request** that the following concerns be addressed before the bill is finalized.
  - Please restore the full restrictions on the Secretary's authority to regulate accreditation that were included in both the House and Senate bills. These restrictions provide important protection against undue federal involvement in the accreditation process. However, the draft conference bill changes this language, and now permits regulation of several areas, including faculty and student support services. At this point, the language can be read as an invitation for the Secretary to regulate areas that are not specifically made off limits.
  - Please remove the new mandate that accreditors evaluate whether an institution is providing current and prospective students with all the consumer information required by federal law. In essence, this provision equals a federally mandated accreditation standard. It would be a huge distraction from the work of accreditors, who, in effect, become federal program reviewers and enforcers in areas in which they have no expertise – including student aid, campus crime, and myriad other areas.

**College Cost**

*Issue Summary: As expected, the draft conference bill includes a number of provisions related to college costs. There has been a clear attempt to streamline this portion of the bill. However, the provisions are still likely to result in public confusion and misunderstanding, because of the complex mix of required lists and definitions.*

(For more detailed information, see the [comparison of the cost provisions in the Senate, House, and draft conference bills.](#))

*Messages:*

- **Thank you** for removing the Senate’s provisions that require admissions materials to include net price by income quartile; making the effective date of the cost provisions prospective; removing the line in the Higher Education Price Information Summary that calls for instructional expenditures per student; and not including the House’s provisions that establish Quality-Efficiency Task Forces.
- **Respectfully request** that the following concerns be addressed before the bill is finalized.
  - Eliminate the Murphy-Myrick provision that requires institutions to predict future tuition prices for students. This information is likely to be highly subjective and misleading.
  - We are very concerned that institutional net price calculators will prove enormously complex and provide misleading information to families. If such calculators are mandated, please give us time and room to experiment and find a successful model. This could be achieved by requiring the Secretary to either develop sample models or disseminate information about successful models already in use. Institutions could then adapt a calculator that works best for them.
  - Entirely eliminate the cost provisions in Title VIII. Of particular concern is the redundant language on reporting by institutions that have net price increases that exceed a postsecondary education price index.

## **Reporting Requirements**

*Issue Summary: The list of new reporting requirements for colleges and universities are overwhelming and unnecessarily complex. Both the Senate and Hill bills included extensive new reporting requirements. The draft conference bill retains virtually all of them, with no apparent regard for the additional cost burden these requirements will impose on institutions.*

*Messages:*

- **Thank you** for not including the endowment reporting requirement that was included in the House bill. We already are required to provide publicly available comprehensive endowment information to other government entities.

- ***Respectfully request*** that the following concerns about particularly onerous provisions be addressed before the bill is finalized.
  - Eliminate as many of the expensive and unfunded new reporting requirements as possible. These include submissions of additional data to the Integrated Postsecondary Education Data Systems (IPEDS). Those provisions that cannot be eliminated should, at a minimum, be streamlined.
  - The Coburn amendment on lobbying expenditures is completely unnecessary, and should be dropped. Federal law already prohibits the use of federal funds for lobbying purposes. This new provision requires colleges to proactively prove that federal money was not used to lobby. It is a confusing and unnecessary mandate.
  - Eliminate the provisions that require institutions to report on the activities of students who have already graduated. We cannot compel our alumni, many of whom do not like to fill out college surveys, to provide this information in a manner that meets federal standards for statistical validity.
  - Eliminate the provision that calls for complex reporting of textbook information.
  - Remove the requirement to report the number of Pell-*eligible* students on campus. By referring to “eligible” instead of “recipients,” this language forces campuses to collect income information from all students. That does not appear to be the intent of the provision, but would have that effect. Other provisions that would have required colleges to collect income information from unaided students have been eliminated from the draft.
  - Remove the provision that would require institutions to notify their campuses of an emergency within 30 minutes. This type of prescriptive federal language interferes with the ability of law enforcement to control dangerous campus situations.
- Please create some type of “master calendar” for all new reporting requirements that gives colleges adequate direction and time to collect any new federally mandated data.