

STATEMENT OF SUSAN K. HATTAN
NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES
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On behalf of the National Association of Independent Colleges and Universities (NAICU), which represents nearly 1,000 private, non-profit institutions of higher education, I want to share a few thoughts about the issues members of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) will consider in making recommendations to the Secretary of Education with respect to the reauthorization of the Higher Education Act. Accreditation is an issue that our association has followed closely since our founding in 1976 because we see its effective operation as the key to maintaining excellence and diversity in American higher education.

Before getting started, I would like to extend greetings to the panel from NAICU's president, Dr. David Warren—along with his regrets that he was unable to join you today.

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

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

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

Federal reliance on accreditation in determining the quality of institutional offerings was further formalized in the 1992 amendments to the Higher Education Act as part of a broader effort to articulate the respective roles of States (consumer protection), accreditors (quality), and the Department of Education (program integrity and administrative capacity) in the so-called "triad." This basic division of responsibility remains sound in concept but requires careful delineation of roles to operate successfully. The failure, for example, to limit the scope of State Postsecondary Review Entities (SPREs) to consumer protection activities led to the repeal of this portion of the 1992 amendments.

Likewise, the 2008 amendments to the HEA included provisions restricting the ability of the Secretary of Education to regulate the review of student achievement standards—

leaving in place the mission-based review of institutions by accreditors. This action, along with provisions restructuring NACIQI, was taken due to concern that the federal government was inappropriately interfering in academic decisions.

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

In preparing recommendations, members of NACIQI are reviewing a broad range of topics. I thought that what the committee might find most useful from my presentation is a sense of what the NAICU perspective has been on several of these issues—specifically as they relate to legislative proposals.

I also want to express our interest in helping members of the committee think through the promises and pitfalls of new approaches to the relationships among institutions, accreditors, and the federal government. Our mutual goal is to assure that the quality of higher education in the United States remains high and that the public can have confidence in our institutions.

Student Learning Outcomes. One of the questions posed in the document framing this policy forum is whether or not there should be a “set ‘standard’ for student achievement.” This was a central question in the debate leading up to the 2008 reauthorization, and the response was a resounding “no.” That remains NAICU’s position today.

The concerns we have about a standardized measure of student achievement were articulated well in a May 2007 white paper developed by six major higher education associations, including NAICU, in response to proposed accreditation regulations. A copy of the full document is attached to my statement, but I would like to highlight this passage:

Accreditation is likely to move from being an open and collegial activity designed to foster continuous improvement based on the academic goals and mission of each institution to a closed/adversarial process aimed at ensuring campuses are complying with externally imposed mandates. Accreditation has worked well because it is a nongovernmental, peer-based process that helps institutions achieve their unique educational missions. Under the new regulations, the emphasis will inevitably shift toward ensuring that schools have met a complex array of rigid standards. Indeed, we fear that under the current proposals, accreditors may become a regulatory arm of the federal governments. If this happens, the impact—a loss of confidence and trust in accreditors’ ability to assess institutions on the basis of their educational mission—will be considerable.

Role of the Federal Government: Protecting student aid programs from fraud and abuse is the direct responsibility of the federal government. This responsibility should not be relegated to the accreditation process, which is neither an authority on Title IV

administration nor regular enough to monitor institutional activities. It might be worthwhile if the committee's recommendations to the Secretary not only spelled out what you might think appropriate for accreditation, but also things that are not and that might better be handled by the Department as part of its enforcement activities.

Relationship between States and Accreditation: NAICU has some unique issues and concerns with respect to the question of the relationship between accreditation and state authorities. Our member institutions are, by their very nature as private, non-profit institutions, not under the direct control of State governments. They should not be placed indirectly under such control through the accreditation process.

Public reporting. The extent to which accreditation findings should be made public is a topic that has long been debated. It is NAICU's view that general disclosures of accreditation findings will substantially change the nature of the accreditation process and undermine the frankness and candor that help make the process successful. We are aware that many in the higher education community do not share this view—so I'd like to take this opportunity to explain our position in more detail.

The NAICU membership includes many small institutions that have shown amazing resiliency in delivering quality education against long odds. Vulnerable institutions are very concerned about the disclosure of negative findings that are part of an overall positive review. Inevitably, negative information from a review will be reported out of context. This type of publicity can spell life or death for these schools, if a misconstrued article ends up in the local press and even a relatively small number of students decide not to enroll as a result. In most of these cases legitimate problems can be--and historically have been--worked through (i.e. often these institutions are "flagged" over financial issues). The alternative for the accrediting agency is not to be as "tough" on the school in the internal reports—something that is not a good public policy outcome either.

Ultimately, the test of any new disclosure requirements should be their usefulness to students and parents. It is unlikely they will seek to read summaries of findings at institutions that do not have significant quality issues. In amending the Higher Education Act, Congress did not adopt a requirement that such findings be disclosed. They chose, instead, to limit disclosures of findings to adverse actions, namely: instances involving final denial, withdrawal, suspension, or termination of accreditation. NAICU did not object to that change in the law.

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

Consumer Information: In addition, I would note that NAICU has encouraged institutions to share information of interest to students and parents through our University and College Accountability Network, or UCAN initiatives. In a two-page format, an institution's UCAN profile provides information such as graduation and retention rates, tuition and fee

histories, and average class sizes. In addition, there are approximately two dozen individual links that go directly to information about items such as the institution's graduates, campus crime reports, and accreditation. The data elements included were based on what focus groups of parents and students indicated they wanted to know about an institution. The links were added to assure that the distinctive offerings of our diverse institutional membership could be readily found. This effort has been positively received because it makes basic information easily accessible while providing the opportunity for a more in-depth look at institution-specific offerings.

As I said at the outset, our system of accreditation has allowed the emergence of diverse and high-quality higher education options for our nation's students. Just as accreditation itself is designed to push institutions towards higher levels of performance through periodic review, it is useful for all of us involved with it to examine how accreditation and our use of it can be put to best effect.

The committee has laid out an ambitious set of questions to consider in undertaking just such a review. NAICU has long-held views on several of these items, which I felt was important to outline for you today. We will continue to follow the committee's work and hope there will be opportunities to work collaboratively on approaches that will preserve the historic strengths of voluntary peer review, while responding effectively to challenges and changes within the higher education environment.

About NAICU

The National Association of Independent Colleges and Universities (NAICU) serves as the unified national voice of independent higher education. Since 1976, the association has represented private colleges and universities on policy issues with the federal government, such as those affecting student aid, taxation, and government regulation.

With nearly 1,000 members nationwide, NAICU reflects the diversity of private, nonprofit higher education in the United States. Members include traditional liberal arts colleges, major research universities, church- and faith-related institutions, historically black colleges and universities, women's colleges, performing and visual arts institutions, two-year colleges, and schools of law, medicine, engineering, business, and other professions. NAICU is committed to celebrating and protecting this diversity of the nation's private colleges and universities.

Susan K. Hattan

Susan K. Hattan is a member of the Government Relations staff of the National Association of Independent Colleges and Universities (NAICU), where she is responsible for policy development and oversight on accountability matters. Prior to joining the NAICU staff, she had a 27-year career in the U.S. Senate, where she served on the staff of Sen. Nancy Landon Kassebaum (R-Kan.) for 18 years. Hattan was staff director of the Senate Labor and Human Resources Committee during Kassebaum's tenure as chair. When Kassebaum retired in 1997, Hattan became deputy staff director for Sen. Jim Jeffords (I-Vt.). During her tenure on Capitol Hill, she was involved with a broad range of domestic policy issues and related legislation—including the 1992 and 1998 reauthorizations of the Higher Education Act. Hattan is a graduate of Washburn University (Topeka, Kan.), and holds a master's degree from The American University (D.C.).