



## **NACUBO Executive Summary Accountability and Risk Measures in the College Affordability Act (HR 4674)**

### ***College Affordability Act Accountability and Risk Measure Proposals***

The [College Affordability Act](#) (CAA), as introduced by House Education and Labor Committee Chairman Bobby Scott (D-VA), contains a number of new provisions that aim to increase institutional accountability as well as some designed to decrease risks to students.

NACUBO generally supports greater institutional accountability measures, and even potential changes to the current regulatory reporting regime, within reason. The most significant CAA proposals include the following:

### ***Accountability Proposals***

- Extensive new reporting requirements related to accreditation, including:
  - Accreditor-driven student success metrics, that would then be further examined by ED for validity determinations.
  - Shortened reporting periods.
  - Much greater oversight from ED on accreditor action and the accreditor-institution relationship.
- Expanded foreign gift reporting requirements under Section 117 of the Higher Education Act to include in-kind gifts such as textbooks, and visiting professorships and other personnel exchanges, among other provisions.
- New IPEDS reporting categories for institutional expenditures in the areas of:
  - Instruction
  - Student services
  - Marketing
  - Recruitment
  - Advertising
  - Lobbying
- Implementation of rules similar to the 2014 gainful employment regulations that were recently rescinded by the current administration.
- Implementation of rules similar to the 2016 borrower defense to repayment regulations that were recently overhauled by the current administration.
- Extensive new teacher preparation program requirements.
- Some additional accountability proposals are applicable only to for-profit institutions and include:
  - A restoration of the 85/15 rule, instead of the current 90/10 rule, governing the allowable percentage of revenue an institution can receive from federal financial aid, including active duty military and veterans' educational benefits.
  - A more transparent process for conversions of for-profit institutions to nonprofit institutions.

### ***Risk-Related Proposals***

- Creation of several new mandatory positions at colleges and universities, including:
  - A Title VI (of the Civil Rights Act) coordinator.
  - A campus liaison for homeless and foster care youth.
  - Offices of Accessibility that are independent of (or overlap with) existing campus disability support services.



- Changes to the definitions of “hazing,” “harassment,” and “sexual harassment” that exceed the scope of current Clery Act and Violence Against Women Act definitions, as well as new reporting requirements in these areas.
- An increase in Clery Act violation fines to \$100,000 from \$25,000.
- A requirement that all schools provide students with an educational program on hazing.
- Mandated campus climate surveys at all schools every two years via a standardized survey tool that will be developed by ED.
- New mandatory crime reporting requirements for study abroad programs, including for programs the school may offer credit for but does not directly manage.

#### ***NACUBO Concerns***

- A one-size-fits-all approach to accountability measures is often not appropriate in the higher education community, where campus needs, size, and resources, as well as student demographics, often vary significantly.
- Increasing mandatory accountability and compliance regulations without fact-based evidence to support additional measures serves only to increase institutional compliance costs, driving up the cost of college for students and their families.
- Changes to accreditation that give ED sizeable oversight on accreditor action and findings disregards the longstanding accreditor-institution relationships that currently exist and undermines the role of a neutral third party, apart from schools and ED, that accreditors are meant to fill.