



By: **Kayla C. Elliott**, Senior Policy Analyst for Higher Education and  
**Tiffany Jones**, Senior Director of Higher Education Policy

# Creating Accountability for College Access and Success: Recommendations for the Higher Education Act and Beyond

## INTRODUCTION

There are not many issues that the public and policymakers from diverse backgrounds and political beliefs can agree on, but the need to improve higher education affordability and access is one. While higher education is increasingly important to job opportunity and overall quality of life, a high-quality college education is unaffordable and unattainable. As policymakers propose large investments to make college more affordable for students and families, there is a responsibility to ensure those investments pay off. Accountability means making sure what the public and state and federal governments spend on higher education protects students and families from fraud and abuse, and ensure all members of the public have access to high-quality education. Accountability also means investing in colleges committed to providing access and opportunity, being transparent about what is happening in higher education, and taking action against colleges and universities where earning a degree is rare and unlikely to pay off.

As Congress considers reauthorizing the Higher Education Act (HEA), there is an opportunity to implement a holistic accountability system that invests in equity, holds campuses responsible, and protects students and families. Recent efforts to increase access to higher education have narrowed gaps in enrollment for students from low-income families and students of color, but gaps in degree attainment persist. For example, our recent reports on degree attainment in 41 states showed that the attainment rate among White adults exceeds that of [Black adults](#) by 16.3 percentage points and that of [Latino adults](#) by 24.5 percentage points. Some contributors to the persistent equity gaps in college degree attainment include a lack of protection against predatory colleges and universities that prioritize profit over student success, a lack of investment in the colleges and universities that traditionally enroll larger shares of students of color and students from low-income families, a lack of consequences for well-resourced campuses that exclude most students of color and students from low-income families, and a historic belief in higher education that college completion is solely the responsibility of the student.

Fortunately, research has also consistently shown that, with concentrated and concerted efforts, with the support of willing leaders and alignment of policy and resources, institutions can close completion gaps for low-income students and students of color. Equity-focused accountability has the potential to ensure higher education achieves its most important goals of creating opportunity, providing high quality experiences, and producing successful outcomes for all students.

Improving college access and success is a bipartisan issue. Sen. Lamar Alexander (R-Tenn.), the chairman of the Senate Committee on Health, Education, Labor, and Pensions (HELP), Sen. Patty Murray (D-Wash.), the ranking Democrat on the HELP committee, and Sen. Chris Murphy (D-Conn.), another member of the HELP committee, have all emphasized accountability in their priorities for HEA reauthorization. As chairman, Sen. Alexander has committed to prioritizing a new accountability system that will measure institutions based on whether student borrowers are repaying their loans. Senator Murray has



called for an end to the predatory practices that leave students worse off and suggests that “one of the root causes of unaffordable debt is low-quality programs or colleges that churn out students — or require them to take out too much debt without providing them with the support and credentials of value to get good-paying jobs.” Sen. Murphy is proposing an accountability system that would require greater transparency, create consequences for poor student outcomes, and provide supports to campuses to improve student outcomes. Ed Trust advocates a holistic approach to accountability that will help ALL of higher education serve ALL students better. Ed Trust recommends that Congress:

- Safeguard and strengthen student consumer protection policies like gainful employment and borrower defense to protect students from predatory colleges and universities
- Improve higher education data to create greater transparency and understanding of opportunity, value, and outcomes
- Hold campuses responsible for providing college opportunity by enrolling a reasonable share of students of color and students from low-income families, and ensuring all students achieve success
- Invest in colleges that are committed to equity and have been historically under-resourced so that they can implement evidence-based strategies to support student success
- Enforce meaningful consequences for colleges that after given time, resources, and support, fail to improve their efforts to provide college opportunity and outcomes

## Maintain and Strengthen Current Accountability Provisions

In order to do this, Congress must maintain and strengthen current accountability provisions. Accountability provisions such as the 90/10 regulation and former gainful employment regulation — which aim to cap federal funding of for-profit colleges and hold career training programs accountable for providing a labor market return on graduates’ investments — represent important safeguards against the proliferation of unscrupulous institutions of higher education and low-quality postsecondary credentials.

History has shown that, given the chance, many for-profit institutions will take advantage of the availability of federal grants and loans at students’ expense, leaving students worse off than when they started, i.e., with debt but no degree, or with a credential that has no value on the labor market. As the current Department of Education continues to loosen and roll back the regulations aimed at improving opportunity and outcomes in higher education, it’s even more critical that Congress does not walk away from these protections.



## I. Improve Higher Education Data

In order to construct effective accountability and oversight systems, Congress must act to improve higher education data systems so they may provide reliable, consistent, and useable information. A reauthorized HEA should:

- Overturn the ban on creating a student unit record system that disaggregates data by race and income, as contained within the College Transparency Act. A student level data network will allow states and institutions to set accurate goals and accurately track their progress
- Disaggregate by race and income all IPEDS and NSLDS data on critical measures of student success, like enrollment, persistence, retention, transfer, and completion, as well as post-enrollment outcomes, such as earnings and employment. The system should be flexible enough allow the Department of Education to collect additional subgroup disaggregation (e.g., by gender, national ancestry, etc.). This matters because available higher education data does not paint a complete picture about which students have what opportunities, experiences, and outcomes. Knowing more about how different student groups experience higher education is critical to targeting incentives, investments, and interventions so that the system can improve. Right now, much of what is known about higher education trends for low-income students does not include any details for the different racial groups that share the experience of being from low-income families, but differ as a result of racial inequities. One reason is that the FAFSA does not ask a question about race, severely limiting public understanding of the differences in higher education outcomes by income and race.
- Ensure privacy and security for sensitive student information such as citizenship status, disciplinary records, criminal history, and religious beliefs
- Enable access to P-12 data in order to account for student preparation and high school experience to ensure that the accountability system is able to take into issues of access and academic preparation when incentivizing access, and targeting resources and support.
- Facilitate federal data sharing on students' income and need by the Department of the Treasury and programs like the Low-Income Home Energy Assistance Program (LIHEAP), and Needy Families (TANF). The Government Accountability Office reports that the percentage of all undergraduates who had a household income at or below 130 percent of the federal poverty line increased from 28% in 1996 to 39% in 2016. Even as the number and percentage of students from low-income families is increasing, students are missing out on critical supports. More than 2 million students who are likely eligible for SNAP do not report receiving benefits. Taking these steps to better coordination among social service entities will assist colleges and universities with tracking students' financial needs and current resources so that colleges can better connect them to available resources and fill in the gaps where necessary.
- Invest in helping states improve state level data systems and data integrity. Ensuring the data system is robust and accurate matters because the intent is for college and university leaders and policymakers to make decisions based on what the data shows about current performance and what is necessary to help campuses improve.



## II. Create Pressure and Provide Support to Improve Equitable Access and Success

In addition to maintaining and strengthening the accountability provisions currently in place, a reauthorized HEA must pressure and provide support for the entire higher education system to improve access and outcomes, especially for students from low-income families and students of color, who are most likely to be underserved by today's system. A higher education accountability framework that promotes equitable access and success must address the following:

### 1. Access: Establish minimum standards for institutions on enrolling historically underserved students (i.e., students from low-income families and students of color)

- Require colleges to set targets for students from low-income families with a minimum threshold of 20% or the average in their state, whichever is higher. [Research](#) suggests that Pell Grant eligibility alone may not be the best indicator for determining how many students from low-income families a campus is serving, thus where possible, it is helpful to also incorporate students just above the Pell threshold.
- Recommend the adoption of explicit state and institutional goals for improved racial diversity at the state and public campus level based on state demographics. Our report, *Broken Mirrors*, examined Black student representation at public state colleges and universities in 41 states. Black graduates are underrepresented among associate degree earners in 33 of the 41 states we examined. Only three of the 41 states we examined have a share of Black bachelor's degree earners that is on par with their state demographics.
- Provide guidance to states and institutions on setting incremental benchmarks to achieve equitable representation of underrepresented students within 10 years.
- Urge institutions to change institutional policies and practices that impede access, such as fees for processing applications and transcripts.
- Encourage states to overturn bans preventing public institutions from making race-conscious admissions decisions allowing them to consider race in admissions as specified by the U.S. Supreme Court.
- Push institutions to use holistic admissions and recruitment processes that consider race and family income alongside students' experiences and academic data. "Affirmative action" approaches, like quotas or predetermined point allocations for race, have been deemed unconstitutional for use in admissions decisions, but holistic admissions approaches have been upheld as legal.
- Encourage states and institutions to improve developmental education program delivery and outcomes.
- Encourage states and institutions to align admissions and P-12 high school graduation requirements.



## **2. Student Success: Establish minimum standards for institutions on student performance, experiences, and outcomes during and after their college journey, especially for historically underserved students (i.e., students from low-income families and students of color)**

- Require institutions to spend at least 50% of their revenue on instruction and take no more than 85% of revenue from public sources.
- Include comprehensive data that reflect students' progress toward attainment. Standards should not only be based on completion or graduation, but should consider multiple points, like enrollment, retention, progress through developmental education, credit accumulation, transfer, and course completion.
- Include comprehensive data that reflect the extent of students' debt. Decisions cannot rely on a single metric, but should consider multiple points, like default rates, repayment rates, amount of debt, employment, earnings, earnings-to-debt ratios, and other factors that paint a fuller picture of students' efforts to repay debt.
- Use multiple indicators to identify peer groups and set goals and incremental benchmarks for outcomes. Our web tool, CollegeResults.org, and Ed Trust research throughout the years have revealed that institutional outcomes aren't simply a byproduct of an institution's student demographics. We know that institutions that enroll similar types of students can have vastly different student outcomes. A good accountability system should use institutional peer benchmarking to encourage incremental improvement over time. Peer groups should be developed to compare institutions that have similar characteristics, such as 1) enrollment, 2) shares of undergraduates from low-income families, 3) shares of part-time undergraduates, 4) selectivity, 5) funding or financial resources, and 6) instructional spending. Set incremental benchmarks with a goal of achieving the 75th percentile of each peer group's metrics over a 10-year period.
- Prevent increases in selectivity by prohibiting institutions from decreasing their percentage of Pell Grant students by more than five percentage points over time.
- Oversee and monitor the progress accreditors make in implementing our proposed measures through the Department of Education. Provide grants to accreditors for capacity building and training around advancing diversity, equity, and inclusion.
- Help accreditors better evaluate institutions through an equity lens. The Department of Education can facilitate the creation of expert task forces to provide specific recommendations to the federal government and accreditors on specific topics such as: incorporating student voices; evaluating admissions practices; assessing student support strategies; and improving the safety and inclusion of underrepresented students, particularly students of color.



### **III. Support: Sustain and increase investments in historically under-resourced institutions to support the implementation of evidence-based strategies that improve completion, especially for historically underserved students**

Equity-focused accountability requires recognition of the long-standing limitations of institutions that are already serving students of color and students from low-income families. Increased calls for accountability through measurement and data should also account for the ways in which historic inequities have limited under-resourced institutions' ability to evaluate their progress and innovate their interventions. To facilitate student access and success, a reauthorized HEA should:

- Sustain and increase existing programs by:
  - Reinstating and increasing mandatory funding for Title III and Title V and ensuring that funds are directed toward institutions with the highest percentages of students from low-income families and the fewest resources by seeking guidance and input from impacted institutions and associations that represent their interests, like the United Negro College Fund, National Association for Equal Opportunity in Higher Education, Thurgood Marshall College Fund, American Indian Higher Education Consortium, Asian American and Native American Pacific Islander-Serving Institutions, and the Hispanic Association of Colleges and Universities.
  - Doubling the maximum Pell Grant award, since increasing direct student support programs increases funding to the institutions they attend.
- Invest in a new fund that supports the development and scaling of interventions that improve completion. For example:
  - Set parameters for institutions that prioritize student success. Investments should target historically under-resourced institutions that enroll high proportions of historically disadvantaged students and have the greatest need. Identify and exclude for-profit colleges or nonprofits that function as for-profit colleges based on the amount of resources the institution devotes to instructional spending.
  - Offer grants that support the development, evaluation, and scaling of strategies that facilitate historically underserved students' completion. Fund comprehensive support programs that provide direct financial, academic, and personal supports, including transportation, child care, career counseling, academic advising, tutoring, tuition and fee waivers, and textbook vouchers. Create a list of completion strategies worthy of testing in the development phase. It should be expansive and include promising strategies that haven't yet been tested rigorously or on a large scale.
  - Provide capacity-building support for under-resourced institutions to improve institutional abilities to gather, analyze, and act on data. This includes offering professional development opportunities like the Data Academy for faculty at Miami Dade College, or the reforms to academic programs and developmental education at Odessa College in Texas. Provide access to the technical assistance, technology, and human capital needed to scale existing promising practices at under-resourced campuses.



- Require rigorous evaluations of program outcomes on retention and completion, including, where appropriate, through randomized control trials. Evaluation results should be disaggregated by race and income.
- Tier grants by sector and institution type to ensure under-resourced institutions are able to compete.
- Provide grants for at least 150% of program length to ensure campuses are able to see the interventions through the life cycle of a student and to generate more meaningful and replicable results.
- Require an increased commitment to equity and accountability for any state to participate in federal-state partnerships by:
  - Providing federal funding and requiring states to support campus participation in institutes that could be established at state or regional level to provide support and training for under-resourced institutions to improve institutional abilities to gather, analyze, and act on data
  - Mandating a statewide equity funding audit in order to participate in any new state-federal partnerships. The results of the audit should be published in a “state equity report card” highlighting current funding inequities and historical unfairness, like chronic underfunding, denying programs to HBCUs, or duplicating programs at other institutions, and failing to match federal land-grant funding
  - Compelling states to adopt equitable funding approaches that incentivize the enrollment and completion of underrepresented students. For example, in New Jersey, the state has proposed a formula that awards funds based not only on the total number of degrees awarded, but also on the number of degrees awarded to students from underrepresented racial groups, and the percentage of students who qualify for state and federal need-based financial aid awards. Another example is in California where the student success formula would award funds to community colleges based in part on their enrollment of students from low-income families and the outcomes of these students over time
  - Providing incentives and resources for states and institutions to: re-evaluate practices (e.g., remediation approaches), policies (e.g., credit accumulation requirements), and charges (e.g., application and transcript fees); identify the impact on students from low-income families and students of color; and strive to adopt reforms and remove unnecessary barriers to enrollment and completion for such students



#### **IV. Consequences: Enforce meaningful consequences for underperforming institutions that, after getting needed resources, time, and support, fail to meet minimum enrollment and performance standards**

Accountability measures that may result in the loss of Title IV federal student aid could cripple or close institutions that enroll high numbers of underserved students and prioritize their success. Grave measures should be reserved for grave offenses, such as defrauding students. This matters because historically, campus closures can have the most impact on college opportunity for low- income student and students of color, who already have limited access to higher education. We propose a number of alternative and more gradual consequences that can incentivize colleges to improve, without the first and only step being the removal of title IV eligibility. Some of these more gradual and intermediary steps include removing the tax benefits of colleges that don't do well on equity and student success and creating consequences for underperforming programs when it is clear that it is the program rather than the institution as a whole that is not serving students well. Ed Trust propose a more tiered system with different interventions, depending on the type of institution and the type of infraction. The new accountability system should:

- Target consequences at the program level (as data is available, and not a as an alternative to, but alongside the use of institutional level outcomes).
- Provide ample time for institutions to understand and adjust to new standards. Apply consequences and penalties only after the first four principles are pursued and exhausted, and only after two years of failing to meet standards.
- Allow reduced consequences for institutions making continual growth, rather than punishing progress, and provide waivers for institutions that do not reach ambitious access and success goals, but show sufficient improvement within a reasonable timeline.
- Require institutions that fail to meet standards to submit improvement plans that address efforts to improve student performance, experiences, and outcomes, including changes to student support, faculty support, staff capacity, administration, and governance.
- Notify students, families, states, and accreditors when institutions and programs fail to meet benchmarks for important enrollment and performance outcomes; and increase transparency for students and families by issuing mandatory alerts (via FAFSA, and institutions' websites and communications with current and prospective students) when institutions are found to be chronically ineffective or predatory.
- Reward and reprimand institutions based on their proven commitment to social mobility; fine institutions that consistently under-enroll students of color or students from low-income families, and direct that money into a new fund that supports institutions where high numbers of students of color and students from low-income families complete.
- Encourage states to prevent institutions that fail to produce successful outcomes from creating new academic programs, thereby stopping those institutions from "repackaging" the same underperforming programs under new names.





- Eliminate tax and insurance benefits for underperforming colleges as a financial consequence underperforming institutions that demonstrates a level of seriousness, while not resulting in closure and perhaps providing the college with an opportunity to change their practices.
- Prevent programs and/or institutions that fail to produce outcomes from receiving Title IV funding for any new students, and ensure that current students are allowed to complete or prepare for potential closure, as a last attempt for institutions to improve their behaviors.
- Eliminate access to all Title IV funding and other federal student aid, like GI bill funds and other veteran student aid, for programs and/or institutions that fail to provide opportunity and improve outcomes.
- Require institutions that have been banned from receiving Title IV funding to repay students' defaulted debt out of endowments and profits.

## CLOSING

Given the disparities in retention, graduation, and job placement rates for students from low-income families and students of color, it is imperative that Congress create a system of higher education that holds institutions accountable for effectively serving all students. Though these recommendations call for heavy regulation of for-profit colleges and universities, Ed Trust is advocating for a holistic approach to accountability that will help all higher education institutions do better.

These principles reflect the expertise and experiences of diverse and knowledgeable voices. Organizations that purport to prioritize equity cannot continue to operate in an echo chamber. Instead of inviting the usual voices to the table, Congress should include the people who are impacted by the issue and leading efforts to change things for the better. Finally, accountability is about articulating what we expect of their higher education, especially how to make sure those who have been historically marginalized can be better supported. What we propose is a plan for Congress to help the system of higher education in this country become a better, more just and equitable system for the students and families served, the higher education leaders who labor in it, and the tax payers who support the entire system.