

Aligning State Approval and Regional Accreditation for Online Postsecondary Institutions

A National Strategy



Report of the

Presidents' Forum

Task Force | Fall 2009

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Introduction

Postsecondary education in America is now experiencing the full impact of the technological revolution that has promoted dramatic change in many other arenas of daily life. Like medical practice, communications, manufacturing and entertainment, colleges and universities are now using technology extensively to modify and enhance core functions of teaching and learning. The most fundamental change wrought by this revolution is that the boundaries of the residential campus, so central to instruction in the past, no longer bind the time and place of learning. Most, if not all, educational institutions offer courses via telecommunications and, for an increasing number, far beyond the physical boundaries of the campus. As a consequence, institutions now attract and serve students at virtually any location, without regard to geographic or political boundaries. Not surprisingly, some institutions have taken the next step, employing technology exclusively, entirely foregoing the traditional campus.

A key premise of this task force is that access for students, wherever they may live and work, has become a pressing national educational priority. Through the new approaches to access

1 See task force membership in Appendix A.

offered by the creative use of telecommunications, American higher education continues a long tradition that has made it among the most innovative in the world,² increasing its reach and accessibility. This characteristic has been and is essential to the education and upgrading of the American workforce.

All is not rosy, however. A constitutional principle of American government leaves regulation of education specifically in the province of the fifty individual states. Unlike most countries, there is no “Ministry of Education” empowered to establish a uniform national regulatory framework. For more than two hundred years, this fragmented approach has proven adequate to the nation’s needs. Since students physically attended classes on a campus, the state-based regulatory system provided a rational way to provide an acceptable level of quality and consumer protection at each educational institution.

Today, for precisely this reason, institutions that offer instruction across state, regional and national boundaries are often confronted by duplicative and widely differing regulatory requirements. These requirements, while functioning as an important gatekeeper to ensure that citizens will be protected from fraud and poor quality offerings, increasingly may act to inhibit student access to essential learning opportunities and at an unnecessarily high cost.

THE PRESIDENTS’ FORUM brings together a broad spectrum of institutions that have the common attribute of facing this growing challenge to access. Through this collaboration, the FORUM seeks new ways to rationalize the oversight process which, while continuing to serve its purpose of protecting

2 James W. Hall, *Access Through Innovation: New Colleges for New Students*, New York, ACE/Macmillan, 1991.

the interests of the public, also eliminates unnecessary barriers to student access. Consistent with its approach to institutional problem-solving,³ the FORUM invited a task force to define and devise strategies to address and ameliorate these concerns. This paper presents the work of this task force, exploring the background and proposing strategies that might simplify and improve the regulatory process. To stimulate exploration and experimentation, the paper concludes by visioning potentially new reformed regional or national models for these processes, and offers a strategy and timetable for further exploration and possible implementation.

Workforce Development, Student Access, and Delivery of Education

Fundamental to this discussion are the enormous challenges facing the American economy and workforce. The challenges of the global economy and the present economic downturn are distorting the traditional sources and approaches to workforce education. Such a climate requires that state and federal policy makers, American businesses and labor recreate workforce education and development systems to become more accessible, transparent and produce consistent results. American labor's competitive edge requires workforce education that avoids entanglement of online and distance educational providers in a duplicative web of processes in order to offer their services.

3 The PRESIDENTS' FORUM has sponsored two other initiatives that seek to promote understanding and quality in distance learning: *Access to Learning*, a demonstration of process and content in distance learning, showing its accomplishments and viability, and *Transparency by Design*, funded at WCET by the Lumina Foundation, which promotes the public sharing of qualitative data regarding distance institutions and student performance.

As noted above, many educational institutions, once limited in outreach by geography and “seat time,” now are able to circle the globe through use of modern telecommunications. With help from the Internet and the Worldwide Web these institutions offer access without regard to time and place. Moreover, many of the educational resources formerly available only on a residential campus are now accessible online (i.e. library access, academic advising, and office hours). Although the specific forms and processes vary from institution to institution, today’s colleges and universities—new and established, public and independent, not-for-profit and for-profit—offer courses and degrees across state and international boundaries.

In addition, wholly new institutions have emerged with the specific mission to provide education at a distance. Indeed such institutions constitute the most rapidly growing sector of higher learning throughout the world. According to a study conducted by the Alfred E. Sloan Foundation, in the fall of 2008 nearly 5 million students were enrolled in such programs in the United States alone. And a more recent two-year college study affirms that demand for online learning has outpaced the current capacity of offerings. As a consequence of this rapid growth, online students and the institutions serving them provide new and significant challenges—challenges that call for new approaches to state and regional accreditation and licensure.

The Problem

The problem this FORUM task force addresses is an unintended consequence of the regulatory approaches of state systems designed to oversee campuses physically located within their borders. Though most states have taken steps to introduce and encourage the uses of technology in teaching and learning at all levels, in some cases, state regulation has not kept pace with the emerging reality of educational delivery via telecommunications technologies across state and national boundaries. Moreover, as each state has developed its own unique standards and regulations, requirements and procedures have evolved in different directions. As a result, institutions whose distance learning programs offer instruction in multiple state jurisdictions are often required to secure authorization in each state. These diverse expectations of state oversight, though often helpful to an institution, are uneven from state to state. They are diverse and often duplicative processes that are time-consuming, expensive and may inhibit student access. It is these inefficient, cumbersome and costly processes (to both states and institutions) that we seek to improve.

From the very founding of the Republic, education has been a matter for local regulation. Unlike the centralized educational ministries for institutional approval and oversight found in many nations, the American tradition is that primary responsibility for the oversight of higher education is constitutionally left to the States. Despite the *Morrill Act*, until the post World War II *GI Bill*, the federal government had virtually no role in the oversight of colleges and universities; only with the passage of the *Higher Education Act of 1965*, which established the first components of the federal student aid program, did the national government assume any meaningful role. Rather, the American

educational system relies almost wholly upon individual state approval and voluntary accreditation for the promulgation of and adherence to standards.

To be clear, the FORUM recognizes and appreciates the need for transparent review, the fundamental role of states to establish authorization processes, and for voluntary regional accreditation to assure the student consumer—and the public at large—that an institution is credible and will deliver as promised. Any institution offering its services to the public must meet generally accepted, rigorous and equitable standards of quality and performance. Unfortunately, we must also acknowledge that the Internet has proven to be a fertile ground for those intent on committing educational fraud, the “matchbook cover” education being replaced by incessant pop-up ads, offers to purchase degrees or other unscrupulous efforts to meet an unknowing consumer’s demand for credentials. As a result, the real peril of fraudulent “diploma mills” has increased in the digital age, challenging both the state regulators and the academic community as a whole. Therefore the FORUM neither challenges nor questions the right and necessity of *state* governments to exercise qualitative oversight on behalf of their citizens. Moreover, we recognize that the responsibilities of the state higher education authorities embrace a broad range of education and policy matters, far beyond the routines of institutional review and registration. Furthermore, the state processes deal with complex challenges associated with regulation, including maintenance of licensing fee structures, balancing the outcomes of national and regional accreditation, and adjudication of student complaints.

This task force, however, asks the Presidents' Forum to bring attention to the importance of addressing the current complex and redundant web of processes, regulations and standards, many of which were designed for an earlier era of campus-based face-to-face instruction. We believe that there is an urgent need for states and accreditors to realign their requirements and review procedures so that institutions *and* states are not subject to the substantial costs and workload that characterize the present diverse reality. We believe that increased exploration of the possibilities of cross-state cooperation and reciprocity in approval of multi-state programs could make a significant difference in addressing issues of student access, cost, integration of technology, and delivering learning outcomes that ensure an updated workforce.

In some states the situation is further exacerbated by state-specific requirements that create defensive barriers to protect in-state institutions from external competition. Especially in areas that require professional licensure, state officials are occasionally prodded by local schools or professional associations to erect barriers to those from out-of state. Some may discriminate specifically against online learning. While these regulations can be defended as necessary to protect the consumer, they may also deny the consumer access to programs of quality, simply because the offering institution is physically located outside the political boundary. This form of regulation, rather than protecting the consumer, has an opposite effect of limiting consumer choice; reducing competition, which often drives quality and service to students; increases demand on tax-supported in-state alternatives; denies the realities of the current educational marketplace; limits the ability to sustain a skilled competitive workforce; and may restrain interstate commerce.

State Regulation as it Exists Today

The regulation of American higher education is divided three ways, often referred to as the educational “triad.” First, each state has the power to authorize the operation of institutions located within its borders. Second, a system of voluntary accreditation, both regional and national, has emerged to apply generally accepted standards of quality and to ensure institutional integrity. Finally, the federal government, through its management of the multi-billion dollar student aid programs, imposes its own set of institutional requirements. These three groups of agencies and organizations ostensibly exercise “life-and-death” control over virtually all postsecondary institutions.

While federal oversight is uniform throughout the United States, and cooperation among the regional accrediting commissions has mitigated cross-border complexities, there is no such commonality of purpose across state lines. The problem here falls into two broad categories: first, each state has the authority to establish its own standards, requirements and procedures, some incredibly complex and intrusive, for institutional licensure and authorization. A few states have little or no regulatory schema and institutions can operate in an unfettered way. It is precisely because of this diversity in standards, policies and enforcement that the states have proven unable to agree on the kind of interstate reciprocity that now characterizes regional accreditation. While variations in regulatory interest among the states have always been something of a problem, its effect upon the institutions has increased greatly with the regulation of online learning.

As a matter of law, a state only has jurisdiction over conduct within its borders. A person or entity must have “physical presence” to fall within the regulatory authority of a state. This was not much of a problem when instruction was offered in classrooms firmly rooted to the soil of a state: a college with a campus within a state would clearly and unambiguously be subject to that state’s regulatory authority.

But *telecommunicated* learning, first via television, and now through the Internet, has dramatically changed that premise. An institution may be at the other end of the nation. But an increasing number of states say that if an institution enrolls a student residing within its borders, it must secure that state’s approval. The extent of this problem is borne out in a Dow Lohnes study⁴ conducted periodically since the mid-1990s and most recently published in 2006. The study not only demonstrates a crazy-quilt of regulatory requirements but, remarkably, a clear trend toward *increased* individual state control of cross-border online learning.

In the mid-1980s, the Council on Postsecondary Accreditation (predecessor to the Council on Higher Education Accreditation) joined the State Higher Education Executive Officers Association to study the implications of regional accreditation and state regulation on telecommunicated learning. Project ALLTEL, as the effort was dubbed, sought to address the increasing interstate activity that, at that time, consisted mostly of courses transmitted via open broadcast television. What was found then was a maze of differing state rules and policies with very little focus or orientations to new forms of delivery. The authors of the study

4 A report issued periodically by the Washington DC law firm of Dow Lohnes pllc, principal author Michael B. Goldstein.

predicted that once the importance of technology-mediated learning was generally accepted, a coordinated approach to its regulation—across not only state but national boundaries—was inevitable.

That they were optimistic is obvious. That the situation would get *worse* over the intervening quarter century was inconceivable. Yet that is what presently faces institutions seeking to offer Internet-based programs on a national basis, a situation that seems to many a regressive approach to regulation. Once a curiosity, the success and increasing ubiquity of Internet-based learning is now a powerful force. That has engendered both a demand for regulation to protect the consumer, primarily because of the concurrent explosion of questionable operators, and—less obvious but nonetheless present—a reaction among traditional regulators to hold back what for many appears to be a threatening wave. There is, to be sure, a legitimate concern that unscrupulous “pretenders” can prey upon an unsophisticated public. The growth of online learning has been accompanied by an increase in the illegitimacy of online degrees offered by substandard (unaccredited) institutions. State regulation is the first bulwark against such depredations.

Unfortunately, in the cause of protecting the public interest, legitimate institutions have been forced to climb over increasingly challenging and costly barriers. A review of the data collected through the most recent Dow Lohnes survey is revealing. While fully four-fifths of the states premise their regulation of post-secondary education within their borders on “physical presence” (i.e., in order to be subject to state regulation an institution must be “present” within the state), most states are applying presence criteria on Internet-based programming. Thus what would seem

to eliminate online learning, which lacks the necessary “presence” to trigger the regulatory apparatus, actually gets applied to institutions with limited presence.

However, the reality is different, for several reasons. First, a surprising 25% of the states consider the act of enrolling students who reside in the state to constitute sufficient *presence* to assert regulatory jurisdiction, even if the institution is hundreds or thousands of miles away. And for the remaining 75%, in many cases very little more is required to trigger regulatory authority. Two-thirds of the states consider sufficient *presence* to be the act of contracting with an in-state university or library to provide information resources to students; the same proportion consider it sufficient if students are required to take examinations at a site within the state; and half consider it a trigger to have students gather together in study groups – without any faculty involvement. Of course, adding an instructor to the mix raises the number to over ninety percent.

The issues here are not just about a regulatory burden. At stake is the nature of the learning experience. If providing adequate access to information resources or having students learning in cohorts will require an institution to go through a costly and time-consuming regulatory process, many will avoid those measures, *even though they are clearly beneficial to the learners*. In effect, the regulatory environment is *discouraging* institutions from providing their distance learning students with the best educational opportunities. The migration away from pure on-line instruction to what Frank Mayadas of the Sloan Foundation has termed “hybrid” learning—that is, the combining of Internet-based and face-to-face experiences, a mixture that is proving extremely effective and efficient in achieving the

greatest educational success—is plainly discouraged by making such efforts administratively impractical due to the regulatory burden. Ironically, as this shows, the more that online institutions do to enhance the quality of their instruction the more likely they are to be subjected to state oversight. The misuse or application of traditional place-based criteria for online learning programs is at the heart of the current challenge.

Addressing Reciprocity

The FORUM is not the first body to illuminate the difficulties in addressing reciprocity among the states. Several prior efforts have attempted to address methods for regional collaboration and reciprocity based upon the identification of common shared sets of educational expectations. As in other domains of interstate exchange, the hope has been that shared expectations and requirements in matters of institutional approval might encourage interstate reciprocity.

We note two illustrative examples. For one, the regional higher education accreditation commissions⁵ have previously explored this issue through the *Council of Regional Accreditation Commissions [C-RAC]*. C-RAC has sought to promote reciprocity among the regional commissions. During the late 1990s and the first years of this decade, this project experimented with sharing an accreditation process for institutions that operated in several regions. The regional commission,

5 Middle States Association of Schools and Colleges, Commission on Institutions of Higher Education

New England Association of Schools and Colleges, Commission on Institutions of Higher Education, and Commission on Technical and Career Institutions

North Central Association of Colleges and Schools, The Higher Learning Commission

Northwest Association of Schools, Colleges and Universities, Commission on Colleges and Universities

Southern Association of Colleges and Schools, Commission on Colleges

Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, Accrediting Commission for Senior Colleges and Universities

Council on Higher Education Accreditation (a coordinating body for regional and specialized accreditors)

in which the trans-regional institution was incorporated and/or housed, merged both the standards of each affected region and team members experienced in interpreting them. After several years the experiment ended with each regional commission choosing to accept as equivalent the accrediting decisions made by other regional agencies. In short, the experiment helped to put to rest assumptions about significant differences among the six regional commissions in defining educational quality. As a result, there is a general acceptance of the concept of “full-faith-and-credit” among the commissions: an institution accredited by one regional commission is accepted as accredited by all of the others.

As the century turned, C-RAC contracted with the **Western Cooperative for Educational Telecommunications (WCET)** to create a common set of best practices related to delivering and evaluating distance education. Moreover, its statement of commitment to the value and evaluation of online learning as well as to these best practices received the endorsement of each regional agency. Recently C-RAC has endeavored to update these shared documents. Essentially, however, the regional agencies have not addressed the confused state regulatory environment outlined in this paper, nor have they sought to work with state agencies to bring efficiencies to the regulatory environment for multi-state and/or multi-regional institutions offering distance education.

A second promising example of educational reciprocity is the **Southern Regional Education Board’s (SREB) Electronic Campus**, the nation’s first interstate compact and one of four that encompasses all but a handful of states. When SREB launched its *Electronic Campus* some eleven years ago, it sought to find a way to remove the burden of state regulation across the 16 states

that are members of the compact and to establish a “free trade zone” for online learning. To promote cooperation and reciprocal agreements among 16 states, SREB utilized a central feature of Project ALLTEL—placing the regulatory requirement on the **home state**—requiring each institution making available course and programs in the *Electronic Campus* to have their offerings approved by the home state. The institution’s home state certifies the academic quality to the entire SREB region. In turn, other states agreed not to impose their regulatory process on the offering institution, essentially agreeing to recognize the “stamp of approval” by the home state. Underpinning this approach were several key elements, including establishing a common set of course and program information, an internal process within each state to review and approve offerings from the state, and a procedure to provide appeals to students who had issues with the online provider. Today, the *Electronic Campus* has over 800 degree programs and some 28,000 courses in its inventory, all offered online by some 300 colleges and universities, both public and independent. During its existence and operating under this agreement with the 16 states, no licensure issues have been raised nor has any state imposed its regulatory procedures on an approved course or program listed in the *Electronic Campus*. This virtual campus has established an impressive track record of successful reciprocity, an example that could provide a pathway for a new model for national reciprocal agreements. SREB has moved forward on other related policy issues, including open transfer agreements based upon a common set of standards.⁶ In 2005, it launched an initiative following Hurricanes Katrina and Rita

6 *Clearing Paths to College Degrees: Transfer Policies in SREB States*, Southern Regional Education Board, Atlanta, 2007.

with the Alfred E. Sloan Foundation⁷ that enabled numerous colleges and universities to offer free online courses to students impacted by the storms. Again, the example of course transfer and reciprocity was demonstrated in addressing a critical need and without undue or overbearing state regulatory processes.

Beyond these two important examples of reciprocity, there are pertinent studies, research and bibliography available. Other organizations have attempted to create collaborative mechanisms or protocols for member institutions with varying degrees of participation. We have examined a number of these and note them in APPENDIX B.

Quality Assurance

The Presidents' FORUM task force repeats its conviction that no reputable institution of higher learning seeks to avoid thorough and responsible public review and approval of its educational offerings.⁸ Moreover, institutions that engage in forms of distance and online learning have a special obligation to meet high standards of academic quality and student performance and to share this information with the public in transparent and comparable form. The issue, therefore, is to find new approaches to state approval and regional accreditation that meet the challenges of consumer protection and educational quality, but which do not reduce access or place an undue academic and adminis-

7 See the survey of online learning among 2500 institutions in *Online Nation: Five Years of Growth in Online Learning: National Report*, Alfred E. Sloan Foundation, 2007.

8 FORUM's commitment to this principle is demonstrated through its current *Transparency by Design* initiative.

trative burden upon institutions, nor discriminate against such institutions simply on the basis of geography or protective exclusion.

In short, FORUM seeks to define action strategies that will promote a regulatory environment that will meet each state's legitimate need for consumer protection, provide reasonable access to students and not discriminate against out of state institutions. To begin, we need to answer the question: *what do states need to know to assure institutional credibility and consumer protection?*

We focus on updating regulatory systems so that they recognize the vast changes in the modes of learning, embrace the benefits of new technologies, and facilitate the successful outreach of interstate higher education institutions at a time when adult degree completion for both young and adult students is declining in the U.S. Further, we seek to promote experimentation in cooperation and reciprocity among the states, jointly employing these updated systems. In the years immediately before us, the new realities of the contemporary university and the compelling need to maintain a competitive national workforce will demand nothing less.

Visioning an Ideal Regulatory Model for the Future

The task force cannot offer detail in advance what such strategies might look like, but it can envision the ingredients of a future regulatory system. We recognize that the scope and significance of this proposal will ultimately require collaboration and consent of important constituencies that participate or benefit from the process of educational review and approval. Moreover, we recognize that these efforts will be difficult and complex, and cannot be achieved rapidly. Therefore FORUM presents a vision and possible models, together with proposed step-by-step strategies as a way to stimulate discussion and, hopefully, promote actions that lead to constructive and positive change over the next three to five years.

Such a changed system would rest on a tripod of agreements shaped and implemented by representatives of all of the interested participants and beneficiaries. One leg will be an all-parties agreement on a common body of required and transparent student and institutional data; the second leg will be agreement upon a specific template of state standards to which all parties would reference their individual requirements; the third leg—the most essential agreement—is that each state would accept reciprocal judgments made by other states, limiting the need for duplicative and costly state and institutional action.

Strategies and Actions to Promote Models for ReformTM

- A. Identify a convening/enabling authority to help in bringing together the different constituencies needed to design and implement experimental projects aimed at testing models for reciprocity.

Goal: Attempt to create an improved level of communication, trust and understanding between the a) legislative/policy/social need people and b) the regulatory/consumer protection people leading to c) an agreement to explore and test new models for interstate reciprocity in regulation and enhanced regional reciprocity in accreditation [*July-December 2009*].

- B. Undertake an updated study of current state regulatory practices and processes that encourage or create barriers to interstate institutional recognition. This study will emphasize the variation between the states, as well as the demands placed upon institutional operations by these variations [*fall 2009*].

Goal: Build upon and expand the current Dow Lohnes periodic study.

- C. Develop a template based on a common data base built around clear and substantial standards that meet the needs of states, accreditors and institutions. This could take the form of a check-off of basic agreed components that takes into account institutional variation and promotes collaboration.

Goal: address the question: What is the core of information that all states need to assure that an institution is

credible? Currently the FORUM project, Transparency by Design, is the only approach based in program level data [2010-2011].

- D. Demonstration Projects to Create and Test two Models of Reciprocity:
1. Enhance regional accreditation, referencing C-RAC as a dependable and accepted model in a program of national reciprocity. Institutions with a national or multi-regional footprint and regional accrediting commissions are the most likely organizations to nurture reciprocity [2010-2012].
 2. Work with the State Higher Education Executive officers and regulatory agencies to organize one or more experimental multi state-based reciprocal approval projects, referencing the experiences of SREB's *Electronic Campus*. Initially test the viability of the model on another regional grouping of states; e.g., a mid-western basically rural state environment [2010-2012].

Each of these priority actions recommended by the task force will require grant funding in order to undertake the action. Our assumption is that the FORUM, shaped by the task force goals and concerns described in this paper will provide leadership in seeking external support and organizational involvements and commitment to individual projects. Each project will then be vested with partners responsible for carrying out that initiative.

CONCLUSION

The vast changes that are occurring in providing postsecondary education have tested the national and state capacities to regulate and approve those institutions that increasingly offer services to students in multiple locations. Institutions that operate across multiple political boundaries will benefit greatly from reciprocal agreements that streamline and codify expectations and processes. The individual states will benefit as well when costs and processes are more efficiently undertaken and wider reliability is assured. While all parties must continue to exercise care and judgment in protecting the student/citizen from unscrupulous operators, all have an interest in extending access and opportunity to those students who require educational opportunity. The urgent national priority to strengthen the workforce requires it. The future economies of the states and the nation require it. And, most of all, the needs of individual students to exercise initiative and choice as each seeks to improve his or her life within a knowledge-based world requires it. This task force, on behalf of THE PRESIDENTS' FORUM, offers this paper, analysis and proposed strategies as a way to jump start a national discussion and to initiate several experimental actions that could lead to productive, efficient, and student-responsive change. We invite your participation in this important and necessary national effort.

APPENDIX A

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APPENDIX B

Other Collaborative Efforts, Studies and Bibliography

WCET has conducted research to determine the extent of conflicting and overlapping processes. There are several pertinent background reports prepared by the **Center for Studies in Higher Education** at the University of California, Berkeley.⁹ As recently as 2008, **The Center for Digital Education** published its useful survey *Online Learning Policy and Practice Survey: A Survey of the States*.

Another important contribution noted is a study of the legal basis for state authorization and a survey of the legal status of the individual state regulations and requirements entitled *The State of State Regulation of Cross Border Postsecondary Education: A Survey and Report on the Bases for the Assertion of State Authority to Regulate Distance Learning*.¹⁰ Also useful is an earlier explication by the principal author of the study, Michael B. Goldstein, entitled *Regulating E-learning in a Nation of States (2000)*.

We suggest as well an **ACE/EDUCAUSE** report, *Maintaining the Delicate Balance: Distance Education, Higher Education Accreditation, and the Politics of Self-Regulation (2002)*, by Judith S. Eaton. We also acknowledge the major contributions to accreditation and evaluation by:

9 Diane Harley and Shannon Lawrence, *The Regulation of E-learning*, Center for Studies in Higher Education, UC Berkeley, September, 2006; rev. February, 2007.

10 This report is periodically issued by the Washington DC law firm of Dow Lohnes pllc, principal author Michael B. Goldstein.

- 1) the **National Association of Independent Colleges and Universities (NAICU)** entitled *University and College Accountability Network (ULAN)*;
- 2) the **National Association of State Universities and Land-Grant and Colleges (NASULGC)** entitled *Voluntary System of Accountability (VSA)*; and
- 3) **THE PRESIDENTS' FORUM** work in progress *Transparency by Design*.

Another report that supports many of the task force's concerns is *Measuring Up 2008: The National Report Card on Higher Education*, prepared by Patrick Callan at The **National Center for Public Policy and Higher Education**. Finally, since this issue is becoming international in its impact, we note that the **European Union** and **UNESCO**, with their many member nations, are also exploring the issues raised by institutions that operate across national borders.

