



March 5, 2008

The Honorable Edward M. Kennedy
Chairman
Committee on Health, Education,
Labor and Pensions
U.S. Senate
Washington, D.C. 20510

The Honorable Mike Enzi
Ranking Member
Committee on Health, Education,
Labor and Pensions
U.S. Senate
Washington, D.C. 20510

The Honorable George Miller
Chairman
Committee on Education and Labor
U. S. House of Representatives
Washington, D.C. 20515

The Honorable Howard P. "Buck" McKeon
Ranking Member
Committee on Education and Labor
U.S. House of Representatives
Washington, D.C. 20515

Dear Senators Kennedy and Enzi and Representatives Miller and McKeon:

We write on behalf of the American Association of Community Colleges (AACCC) and the Association of Community College Trustees (ACCT) on the upcoming conference on legislation to reauthorize the Higher Education Act (HEA). We represent the presidents and trustees, respectively, of the nation's nearly 1,200 community colleges, the largest sector in higher education. The HEA is by far the most important single piece of legislation for our students and institutions. More than two million community college students alone receive Pell Grants each year. We commend both the House and Senate for developing strong bills and we expect to support the final conference bill as we have supported both House and Senate bills. However, the upcoming conference deliberations will greatly affect the final quality of this legislation, and much is at stake.

As you merge the provisions in S. 1642 and H.R. 4137, community colleges urge you to consider the following positions:

(1) Ensure that college cost and related provisions reflect the unique nature of community colleges, help students, and are not unduly burdensome.

Both the House and Senate HEA reauthorization bills include extensive and extremely complicated provisions addressing college costs. Community colleges are very sensitive to the issue of college costs and are the least expensive sector of higher education. The cost of complying with new provisions in this area must have a corresponding benefit to students or the public. We support the recommendations of the American Council on

Education in this and other areas. Within that framework, community colleges have two top priorities:

- Whether conferees choose to adopt the House framework for reporting Consumer Cost information under Section 133(j), or the Senate’s “UCAN” framework in Section 132(f)(2), the provisions of this broad-ranging information-reporting scheme must be **voluntary**. None of the versions of the House legislation prior to floor action, or S. 1642, made this information mandatory, and to do so would impose a massive new set of reporting requirements on colleges, with huge costs of compliance. These would be in addition to the battery of other new reporting requirements added by this bill. Community colleges simply do not have the available resources or ability to provide the voluminous information required under this section. Furthermore, many of the data elements required under this section are clearly geared toward four-year colleges and universities, such as average ACT/SAT scores, admissions rates, and the use of graduate assistants. If the scheme is to be made mandatory as in the House bill, we urge you to closely follow the recommendations made by the American Council on Education to ensure that new burdensome reporting requirements are not placed on colleges.
- Any new sanctions placed on colleges for having relatively high tuition increases should include a dollar-based cushion—tuition increases should be judged by their absolute dollar amount as well as the percentage increase. What ultimately matters to students is the tuition level itself (plus any student aid available), not simply the percentage increase in tuition. In the fall of 2007, community college tuitions averaged just \$2,361 (College Board). We believe that institutions should be able to increase their tuitions by an average of **\$400 per year** without incurring sanctions.

Also, the legislation should explicitly state that for two-year public institutions, either “in-state” or “in-district” tuition should be used for the purposes of calculating tuition increases and other related calculations, such as net tuition. First, the vast majority of community college students are in-district or in-state. But without this clarification, an extremely complicated and confusing framework could result—for example, a college could be placed on a “watch list” or similar list for its in-district increase, but not for its out-of-state tuition.

(2) Delete the Senate’s revised Section 485(a)(7) of the HEA on institutional reporting of completion rates.

Section 477 of S. 1642 requires institutions to report the current single institutional completion rate by gender, racial and ethnic subgroup, as well as whether the individual received a Pell Grant, Stafford loan, or neither. The single rate would be broken into **48 sub-categories** and in so doing may mislead students and misrepresent institutional performance. It is widely acknowledged that federal completion rate data do not capture accurately community colleges because they do not include part-time students, do not accurately reflect student intent, and because four-year colleges are not required to report transfers-in back to community colleges. The large number of categories created

by S. 1642 will be especially problematic at smaller or rural community colleges. In the fall of 2006, 499 community colleges had enrollments of 3,000 or fewer students. Another fundamental flaw of this new reporting requirement is that it does not contemplate the common circumstance in which a student receives a certain type of aid, e.g., a loan, one term but not the next.

(3) Include in final HEA legislation the House’s “Community Colleges as Partners in Teacher Education” program.

Community colleges advocated for the inclusion in H.R. 4137 of a program dedicated exclusively to supporting teacher preparation at community colleges. The most recent information shows that 351 community colleges offered 686 degree programs in education (not including early childhood education and teaching assistant programs), the vast majority of which were two-year associate degrees. The program in H.R. 4137 is designed to foster and grow the unique role that community colleges play in this area, complementing HEA programs designed to assist four-year colleges. Community colleges strongly oppose any effort to amend the community college program and urge retention of the language in Section 251 as approved by the House. The Senate should recede to the House on the “Community Colleges as Partners in Teacher Education” program.

(4) Strike the textbook provisions in the House legislation to reflect institutional realities.

Community college presidents and administrators are greatly concerned about the cost of college textbooks. According to the College Board, in the fall of 2007 on average these costs amounted to a full 39% of the average community college tuition. However, federal intervention in this area needs to reflect the reality that many community colleges offer hundreds of courses and have lean administrative structures. Also, community colleges are extremely flexible in their course offerings, both to accommodate emerging needs and to account for unpredictable state support. For this reason, we cannot support federally-required institutional textbook disclosures. We note that, after examining this issue at the behest of Congress, the National Student Financial Aid Advisory Committee arrived at the same conclusion. Fortunately, our campuses are working creatively to help students minimize textbook costs.

If Congress insists in creating new institutional requirements in this area, we believe that within two weeks of the beginning of a class, the institution could be asked to post on its Web site or other campus-wide information dissemination network information on the ISBN and suggested retail price of required textbooks and materials and supplies.

(5) Include in final HEA legislation the College Partnership Grants contained in H.R. 4137.

Although much progress has been made in facilitating transfer for community college students, more needs to be done. The common educational pathway of today’s college student has been described as a “swirl.” For example, recent surveys show that 60% of all

new B.A. awardees also receive college credit from another institution, and fully half of them have taken at least one course at a community college.

The House HEA bill contains a new program (Section 821 of the HEA as modified) that would provide financial incentives for institutions and states to develop articulation agreements. Community colleges believe that this approach could stimulate needed activity and is far preferable to imposing new regulatory frameworks or mandates in this area. Financial obstacles are commonly cited as being barriers to the development of articulation agreements and this new program would help alleviate them. Grants would be awarded on a competitive basis. The Senate should recede to the House on College Partnership Grants.

(6) New Programs:

The House and Senate reauthorization bills contain a number of proposed new programs that would greatly benefit community colleges and their students.

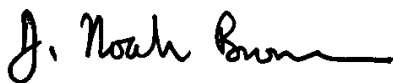
- Predominantly Black Institutions (PBI)—Both House and Senate bills establish a new program for institutions with enrollments of 40% or greater African American students. We strongly endorse this program, which recognizes the key role PBI have in ensuring that college enrollment and success rates for African American students are maximized. We urge its retention in the final bill.
- Student Success Grants—the House creates a new program in the new Section 826 designed to help institutions that serve high numbers of students in need of developmental education, which is a focus of community colleges. These students face particular challenges in attaining degrees and we believe that a federal investment in this growing area is appropriate.
- CURE Act—The House legislation contains a new program that would provide support for rural colleges to help more students graduate. It would fund partnerships between two- and four-year institutions and rural school districts to encourage more rural high school students to pursue postsecondary education, and would also promote new partnerships between rural colleges and employers.
- Grants to Create Business Workforce Partnerships—This House program should be altered to strengthen S. 1642's Job Skill Training in High-Growth Occupations or Industries initiative. These changes include emphasizing the creation of pathways for lower-skilled or limited English proficient students to help them enter high-growth, higher-wage jobs, targeting independent and nontraditional adult students, partnering directly with employers (rather than only partnering with Workforce Investment Boards).

Thank you for your consideration of these views. Please contact David Baime, AACC Vice President for Government Relations, or Jee Hang Lee, ACCT Director of Public Policy, if you have any questions on these or related issues.

Sincerely,



George R. Boggs
AACC CEO and President



J. Noah Brown
ACCT CEO and President