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## ACTA Files Complaint Against Accreditors

On New Year’s Eve, 2012, ACTA challenged the Southern Association of Colleges and Schools (SACS)—the main college-accrediting body in the south—over its intrusion into governance at the University of Virginia. In fact, we filed a complaint with the Department of Education.

Why? Because instead of sticking to its mission to ensure that schools provide a quality education, SACS has made a power-grab at the prerogatives of duly-appointed trustees.

Accreditors like SACS are gatekeepers for federal student financial aid: students may only receive federal student grants and loans, such as Pell grants and Stafford loans, if they attend an accredited college. Accreditation is supposed to signify that a school meets baseline standards of educational quality and financial soundness—in other words, to ensure that students are getting their money’s worth at the school.

No one doubts that UVa, one of the nation’s most prestigious public universities, meets baseline quality standards. So it was

a shock when SACS placed them “on warning,” a step that lets schools know they must shape up or risk losing accreditation (and face the almost-certain financial collapse that losing accreditation entails).

SACS contends that the University failed to comply with standards regarding govern-



“Jefferson would be mighty upset to learn that a bunch of federally empowered bureaucrats are overstepping their authority and interfering with the internal governance of his university.”

— Hank Brown, former president, University of Colorado, *Wall Street Journal*, January 14, 2013

ing processes and the authority of faculty in governance matters. Specifically, they suggested that because the UVa board did not inform the faculty before removing the president, they do not have a board policy on faculty governance. But UVa *does* have such a policy: their policy reserves complete authority to the board in matters of presidential hiring and firing. SACS does not object

(continued on 2)

## Attend ACTA Conference on Academic Freedom!

On April 25 in New York City, ACTA will host a day-long symposium to deepen trustees’ understanding of the importance of academic freedom in American higher education. Benno Schmidt, CUNY Board of Trustees chair and First-Amendment expert, will deliver the keynote. See the article on page 5 for more information. **Register for this and other ACTA trustee seminars at [www.goacta.org](http://www.goacta.org).**

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[info@goacta.org](mailto:info@goacta.org)

1-888-ALUMNI-8

**Roger and Edna Haskell  
Greer, SC**

“We must tell you that the day at the Athena Roundtable was the most wonderful experience and intellectual inspiration that either of us had had in a very long time .... We are already making plans for Nov. 8, 2013 at Mt. Vernon.”

**Jack Wagner, former Auditor General  
Pennsylvania**

“Thank you for giving me the opportunity to participate in the American Council of Trustees and Alumni panel discussion on governance in higher education at the National Press Club in Washington, DC on December 18<sup>th</sup>, 2012. ... The panel discussion ... gave me the ability to underscore critical information about our special report, *Recommendations for Governance Reform at the Pennsylvania State University after the Child Sex Abuse Scandal*, to which I greatly appreciate your contributions. ... I am happy to report that our recommendations have already garnered attention from trustees and policy-makers across the nation because of similar higher education governance concerns in their own states.”

*Editor’s Note: On December 18, 2012, ACTA held a press conference at the National Press Club entitled “High Stakes in the Board Room” calling for engaged trustees. See article on the following page.*

**Lissa L. Bradford, former Chair  
National Panhellenic Conference  
Nashville, TN**

“Thank you very much for sending the ‘Substance Abuse on Campus’ pamphlet. Although I am no longer in a position to be influential regarding the college alcohol scene, I was very involved for several years from the early ‘90s .... Consequently, I have seen a great deal of written material on college alcohol and drug abuse and consider the ACTA booklet to be an excellent educational tool for college trustees and alumni. It has been my observation that many trustees consider it the responsibility of the Student Life administrators to take care of student conduct. Very few of these trustees visit the campus on a Saturday night to view the alcohol culture in action.”

*Editor’s Note: In 2012, ACTA released Substance Abuse on Campus: What Trustees Should Know. Visit [www.goacta.org](http://www.goacta.org) to order a copy.*

**Lawrence Okamura, Associate Professor of History  
University of Missouri  
Columbia, MO**

“Compliments to ACTA for dedicated work that seems to be gaining traction among a growing number of anxious parents, and even state legislators and the national Ruling Class.”

**Standing Up for Trustees, continued from 1**

to the *absence*, but to the *substance* of board policy. As we argued in our complaint, SACS placed UVa on warning because the accreditors, largely faculty and administrators, believe they know better than the trustees—and the Commonwealth of Virginia—how a state university should be run.

To be clear, the governance of UVa is vested in the Board of Visitors, established by Thomas Jefferson and then by statute of the Commonwealth of Virginia and long-standing UVa regulations. The accreditors have no rightful authority to govern our colleges and universities. Their action is a naked power grab—and it matters. If a small group of accreditors obtain the power to overrule trustees’ decisions, American higher education will lose the diversity, flexibility, and independence that has made it great.

That’s why ACTA is standing up for UVa and for the independence of all colleges and universities! Our challenge was covered in several local and national media outlets, including the *Richmond Times-Dispatch*, the *Roanoke Times*, the *Houston Chronicle*, and an *ABC News* affiliate. Several trustees responded to our complaint with thanks, and we are just now reviewing a four-page response from the Department of Education.

This episode confirms the danger that the current accreditation system poses to the autonomy of our colleges and universities. Fortunately, ACTA has partnered with former U.S. Senator Hank Brown to spearhead a new project on reforming accreditation. You can read excerpts from Senator Brown’s recent critique in the *Wall Street Journal* and learn more about our on-going campaign for accreditation reform on page 6 of this issue. Join the fight on accreditation by contacting ACTA! ●

Read ACTA’s **complaint** to the Department of Education on our website **[www.goacta.org](http://www.goacta.org)** charging the Southern Association of Colleges and Schools with overstepping its authority when it placed UVa on “warning.”

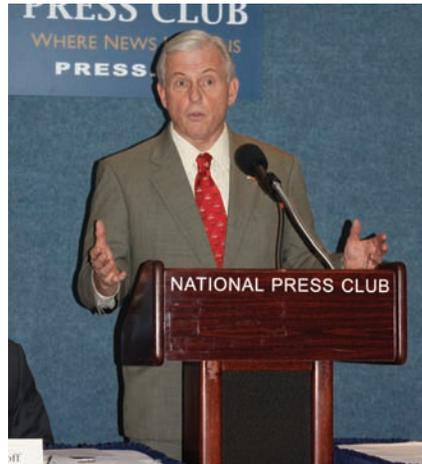
## “High Stakes in the Board Room”—Panel Calls for Engaged Trustees

Trustees are not cheerleaders or figureheads. They are first and foremost fiduciaries, vested with responsibility—an awesome responsibility—for the campuses that they, by law, govern. That was the message of ACTA’s panel, “High Stakes in the Board Room,” held December 18th at the National Press Club.

University of Maryland Regent, the Hon. C. Thomas McMillen, spoke of his dismay that the UMD board learned about the negotiations of the university president to move UMD from the Atlantic Coast Conference (ACC) to the Big Ten only 18 hours before the board signed off on the deal. McMillen—a basketball star at UMD, Rhodes Scholar, member of the 1972 U.S. Olympic team, and former U.S. Congressman—stood alone in voting against UMD’s precipitous move on the grounds that a govern-

ing board must properly deliberate issues of such consequence.

Jack Wagner, Auditor General for



Jack Wagner speaks at ACTA press conference.

Pennsylvania, who authored a major report, for which ACTA was a consultant, analyzed the governance weaknesses that contributed to Penn State’s lack of vigi-

lance and hence to its ensuing tragedy and scandal. He warned boards throughout the nation that passivity and unreflective deference to a powerful college president jeopardize their institutions.

Former Virginia governor Jim Gilmore shared a governor’s perspective on responsible trusteeship. Although a loyal UVa alumnus, he strove to appoint to Virginia governing boards only those who would hold Virginia’s public universities accountable to the taxpayers. He decried trustees who “went native” after they were appointed, enjoying the perks of office and becoming boosters of their universities rather than guardians of the public good.

ACTA continues its work to support active, engaged, and independent-minded trustees. The future of our system of higher education depends upon it. ●

## ACTA Continues Outreach to Governors



Governor Nikki Haley with ACTA’s Anne D. Neal

ACTA regularly reaches out to governors and state policymakers, who have tremendous influence over public university systems through their ability to appoint trustees, to encourage curricular requirements and

to set budgets. In recent months, ACTA accepted invitations to speak at statewide higher education conferences organized by Ohio governor John Kasich and South Carolina governor Nikki Haley. In Columbia, ACTA’s president



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Anne Neal spoke about college affordability and accountability issues. Governor Haley referred to ACTA as “a rock star” in its leadership on issues of cost and quality. At least 50 South Carolina public trustees attended. ●



## New Guide Shows Trustees How to Assess Student Achievement



What will students learn? That is the most important question facing authorities at a university or college—administrators, faculty, and especially trustees. For a long time, it was difficult for trustees to learn whether, and how much, students learned on campus. But now a new ACTA guide shows them how to implement learning assessments at their institutions.

*Are They Learning?: A Trustee's Guide to Assessing Academic Effectiveness* makes the case for objective learning assessment and introduces trustees to three modern, nationally-normed assessment tools. The guide points to mounting evidence

that many colleges are doing a poor job educating their students. It notes that most college graduates fall below proficiency in verbal and quantitative literacy, and that more than a third of students demonstrate *no* statistically-significant improvement in cognitive ability after four years in college.

Responsible trustees will not roll the dice with their students' futures—and they need to know what is happening in their classrooms. ACTA's guide introduces trustees to the major assessments in current use: the Collegiate Learning Assessment, the Proficiency Profile, and the Collegiate Assessment of Academic Proficiency. It also addresses some of the major challenges faced when implementing assessment plans, including apathy from students and resistance from faculty, and warns trustees about pitfalls along the way. ACTA mailed the guide to more than 14,000 college and university trustees, representing more than 1,100 institutions.

Assessment of learning outcomes is the wave of the future, and we hope many trustees will take advantage of this guide that Ohio State University president Gordon Gee called, "A fabulous tool to gauge academic effectiveness at institutions of higher education." ●

## What Will They Learn?... Trustees Find Out

ACTA's What Will They Learn?™ project is the nation's premier study of core curricula, and it has drawn encouraging responses from across the country. Keeping trustees informed about their schools' curricula, we mailed What Will They Learn?™ results to more than 13,000 trustees representing the 1,070 institutions in the study. In addition to its own evaluation, each school received a breakdown of grades given to schools in a peer group: other schools in the same state or schools that pursue similar missions. (For example, private liberal arts colleges were compared to one another.) ACTA also offered each trustee a full copy of *What Will They Learn?* along with ACTA's help to guide them through improving their schools' curricula.

Schools are responding positively to the What Will They Learn?™ project. At the end of January, the retiring president of the University of Georgia System declared that the system's "A" grade was one of his defining achievements: "The American Council of Trustees and Alumni annually ranks more than 1000 colleges and universities on the strength of their core curricula. Last year, UGA was one of only 21 institutions to receive a grade of 'A' in that survey. We can—and should—all be proud of that recognition." Other "A" schools, such as the University of Science and Arts of Oklahoma, display their "A" ratings prominently on their websites. And two universities—Regent University in Virginia and Colorado Christian University—strengthened their curricula in order to join the "A" club.

We are currently working with several schools to improve their grade in What Will They Learn?™. If you are interested in finding out ways to strengthen your school's general education program, please contact Dr. Michael Poliakoff at 202/467-6787. ●



# Standing Up for Donor Intent in Maryland

When Elizabeth Beall Banks died in 2005, she thought her land was safe. She had made a “gift-sale” to Johns Hopkins University, selling her 138-acre Gaithersburg-area farm—valued at \$54 million—for \$5 million in exchange for commitments regarding how the land would be used.

Banks was a prominent local opponent of suburban sprawl. She spent two years meeting with university officials and finally reached an accord when they agreed to build a 1.8-million-square-foot satellite campus that would limit the impact of development. The university trumpeted the plan as a major gift and drew up plans in accordance with Ms. Banks’s wishes. However, after Ms. Banks died in 2005, the university changed its mind. It unveiled plans for a 4.7-million-square-foot, high-density research park that aims to attract science-focused businesses, completely disregarding Ms. Banks’s intentions.

Ms. Banks’s family has sued Johns Hopkins to stop the new plan—and ACTA has jumped in to help. ACTA has long advocated that institutions must protect donor intent, having published *The Intelligent Donor’s Guide to College Giving* and defended donors’ rights in the pages of the *New York Times*, the *Wall Street Journal*, and other media outlets. We also consult with donors to help them draft and protect the integrity of their gifts.

ACTA is working with Tim Newell, Ms. Banks’s nephew, on the case. The Newell family’s struggle reinforces the importance, for donors, of taking great care to ensure that their gifts are used as they intend. Call ACTA at 202/467-6787 for a copy of *The Intelligent Donor’s Guide* or further information on college giving. ●

## Coming Soon: An Online Core for All Courtesy of ACTA and StraighterLine

Online learning is changing the face of American higher education. A professor can reach more students through one internet course than an entire career’s worth of conventional lectures, and students can access an unprecedented selection of courses. With so many options and no formal structure for students, however, fundamental knowledge can fall through the cracks.

But not for long. ACTA recently advised **StraighterLine**, an innovative provider of online courses, in the development of two online core-curricular programs. Both will be unveiled this year, and both are expected to receive “A” grades in ACTA’s What Will They Learn?™ study.

The first program will follow StraighterLine’s standard self-paced model, and will include coursework in six out of ACTA’s seven core subjects: composition, literature, U.S. government or history, economics, math, and science. The second sequence will be part of a new enterprise by

StraighterLine: a synchronized, professor-led cohort of classes. This new model will add intermediate-level study in a foreign language, thus receiving credit for all of ACTA’s seven core subjects.

ACTA continues to support StraighterLine in selecting a group of scholars in the liberal arts who are outstanding in their field for the professor-led track. Although StraighterLine operates outside traditional accreditation structures, its courses have been certified for credit by the American Council on Education. Moreover, transfer agreements already exist with dozens of colleges nationwide. Best of all, this solid core, which comprises a year’s worth of classes, will be available for well under \$2,000.

The times are changing in higher education. While ACTA’s focus remains on traditional institutions, our message of access, affordability, and quality of education extends to new platforms of learning. ●

## ACTA to Host Conference on Academic Freedom

On April 25, ACTA will host **Free to Teach, Free to Learn**, a special trustee conference on new developments in academic freedom and the role of trustees in protecting the right shared by students and faculty to a free, honest, and open exchange of ideas on campus. Trustees will learn the dangers that today’s colleges pose to intellectual openness—and they will learn what they can do to reform their own campuses.

Participants will also receive ACTA’s new *Trustee’s Guide to Academic Freedom*, featuring leading experts like CUNY board chairman Benno Schmidt, Columbia law professor and leading First-Amendment scholar Philip Hamburger, and University of St. Thomas law professor Neil Hamilton.

Call ACTA at 202/467-6787 to reserve space, or register online at [www.goacta.org](http://www.goacta.org).

## “SPEAKING UP”

**Hank Brown, former U.S. Senator and former president of the University of Colorado and leader of ACTA's Accreditation Reform Campaign, speaks out on accreditation.**



**Selections from “The Rise of the Accreditor as Big Man on Campus” by Hank Brown, published in the *Wall Street Journal* on January 14, 2013**

“Who’s in charge of our colleges and universities—their boards of trustees or the accreditation organizations that are the gatekeepers of federal aid? That’s the question I’m left asking after a decision by the Southern Association of Colleges (SACS) ... to put the University of Virginia, founded in 1819 by no less than Thomas Jefferson, on ‘warning.’ ...

Accreditors are supposed to protect students and taxpayers by ensuring that federal aid flows only to schools with ‘educational quality.’ But accreditors increasingly interfere in institutional decision-making and use their bully authority to tie the hands of colleges and universities. ...

When it comes to accreditors’ real assignment—ensuring educational quality—the record is dismal. According to the 2003 National Assessment of Adult Literacy, conducted by the Department of Education’s National Center for Education Statistics, the literacy of college-educated citizens dropped significantly between 1992 and 2003. Of college graduates, only 31% were classified as proficient in reading compared with 40% in 1992. ...

By almost any measure, the accreditation system designed to protect the taxpayer and ensure quality is a public policy and regulatory failure. ...

The American Council of Trustees and Alumni recently filed a complaint with the Department of Education decrying SACS’s interference with the University of Virginia governance powers and processes established by Thomas Jefferson himself. Anyone who knows American history, and regrettably few students do, would realize that Jefferson would be mighty upset to learn that a bunch of federally empowered bureaucrats are overstepping their authority and interfering with the internal governance of his university. ...

If accreditors are allowed to overrule trustees’ decisions, American higher education will lose the diversity, flexibility and independence that has made it great. It is time for the University of Virginia and presidents and boards across the country to say no to this meddling, and it is time Congress recognizes what a failure the system of accreditation has been. Over the years, accreditation has increased costs without protecting quality. A new, transparent system of quality assurance is needed to protect the public—before it’s too late.”

## Accreditation Reform is the “Hot” Topic

Conference features Princeton president and ACTA’s Neal and Poliakoff

The accreditation system in higher education needs serious reform. That is ACTA’s message—and now it’s the message of other major leaders in higher education.

The Reinvention Center, a national consortium of research universities that works to strengthen undergraduate education, held a conference on “Accreditation, Assessment, and Accountability.” Princeton president Shirley Tilghman offered the keynote. Speaking at an event that included the presidents of five of the six regional accrediting bodies, she warned that they “have adopted a stance that too often places them in an adversarial posture vis-à-vis their member colleges and universities, inserting their own judgments into the decisions of how best to achieve the enormously diverse academic missions of their membership.”

ACTA’s leadership appeared at the conference. Dr. Michael Poliakoff spoke about the disconnect between accreditors’ mission of ensuring quality and cost-effectiveness. He addressed the current reality of higher education where major research universities like Purdue and the University of Colorado show six-year graduation rates below 70% and more than a third of students finish four

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## College Center Combines Ethics and Entrepreneurship

ACTA has long advocated “oases of excellence” on campus—places where students can find academic rigor and free inquiry. One creative program is the **Rockford College Center for Ethics and Entrepreneurship**, which combines a liberal arts education with practical business experience to prepare students for entrepreneurial careers.

Directed by philosophy professor Stephen Hicks, CEE unites faculty from often-disparate fields in business and the liberal arts to provide an interdisciplinary education. The Center harnesses the power of the liberal arts to prepare students for entrepreneurial success.

CEE offers courses in Entrepreneurship, Business and Economic Ethics, the Political Philosophy of the American Revolutionary Era, and other subjects. Coursework includes intensely practical projects to develop students’ business

skills and deep reading in history and great political philosophers. In addition, the Center brings prominent guest speakers to campus—both professors and business leaders—in order to develop students’ understanding of the academy and the market.

As Rockford College dean Stephanie Quinn, herself both a classicist and the college’s executive vice president, said, “The center also is an opportunity for our students... to bring together parts of their education that they might otherwise find to be separate—the world of application, especially in business, and the world of values and ethics.”

ACTA commends CEE for their work, integrating two important fields to offer students a firm grounding in liberty, the market, and the world they will enter upon graduation. ●

## ACTA Defends Role of UVa Trustees

ACTA’s unwavering position is that trustees are fiduciaries, holding the sacred trust of students, parents, and taxpayers to ensure academic quality and cost-effectiveness. They support their institutions by their integrity, not by playing cheerleader. They must make tough decisions.

The past year was a turbulent one for the University of Virginia Board of Visitors, and the next promises the same level of challenge. As is now well known, the board’s initial decision to fire President Teresa Sullivan and its quick retreat from that decision brought national scrutiny and public embarrassment.

As ACTA has often counseled, boards need to be transparent and inclusive in major decisions, a point that the UVa board has clearly acknowledged. But as ACTA also publicly emphasized, the UVa board exercised appropriate responsibility when it questioned whether the University was

ensuring a high quality, affordable education. Despite its acknowledged missteps, the willingness of the UVa board to engage such issues deserves praise, not blame.

Too many higher education interest groups want trustees to agree tamely with the wishes of faculty and administration. Trustees who are willing to take on the status quo need encouragement and support, and ACTA is unique in providing it.

Many faculty and special interest groups opposed the reappointment of the rector of UVa’s board. ACTA’s vigorous defense of the board’s statutory authority changed the conversation, affirming its prerogatives and the role of elected officials in Virginia’s higher education policy.

ACTA congratulates the UVa board and its rector on their reappointment and encourages their continued, vigorous work promoting the success of Mr. Jefferson’s university. ●

## Accreditation Reform, *continued from 6*

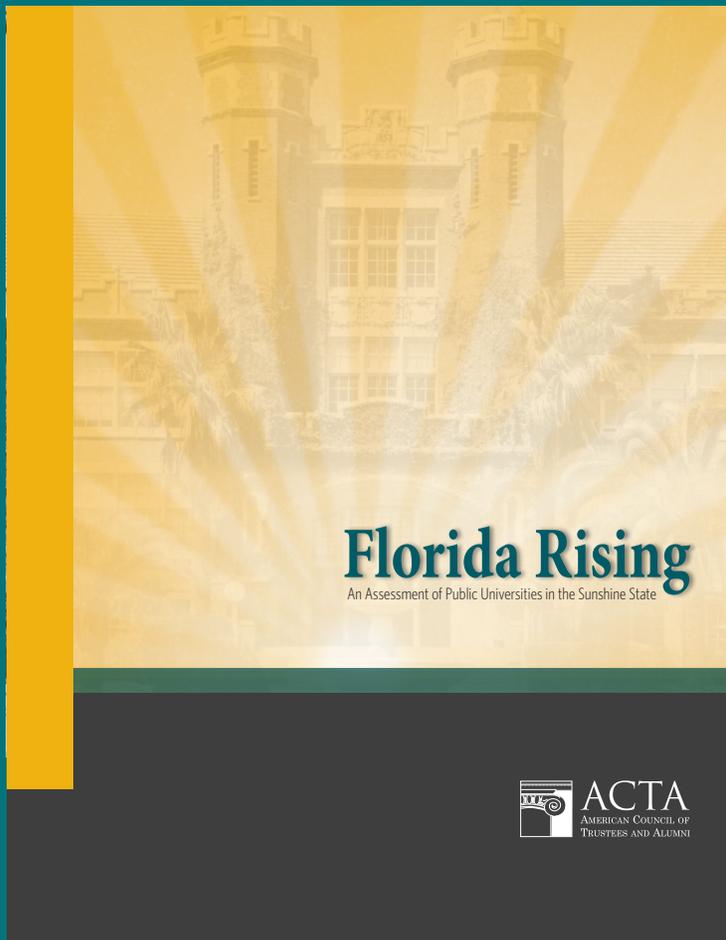
years in college without showing any meaningful learning gains.

Ms. Neal warned about the accreditors’ habit of usurping power from the boards and administrations of individual universities. She then outlined ACTA’s alternative proposal for accreditation, which has received bipartisan support: Separate regional accreditation from college financial aid and allow accreditors to compete with one another in the marketplace. This would turn accreditors into a “consumer-reports”-style proof of educational quality—and prevent them from overruling a school’s legitimate governing body. Read more about ACTA’s accreditation reform initiative at [www.goacta.org/initiatives/accreditation\\_reform](http://www.goacta.org/initiatives/accreditation_reform). ●



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## Coming Soon: ACTA's State Report on Florida Public Higher Education

In recent years, Florida's public universities have faced cuts in state appropriations, worked hard to improve efficiency, and striven to increase their graduation rates.

How have they done?

Watch for ACTA's newest report, *Florida Rising: An Assessment of Public Higher Education in the Sunshine State* to find out.

ACTA will publish the report in early March—be sure to order your copy at [www.goacta.org](http://www.goacta.org)!