



Quality Counts

State Levers for Postsecondary Quality Assurance

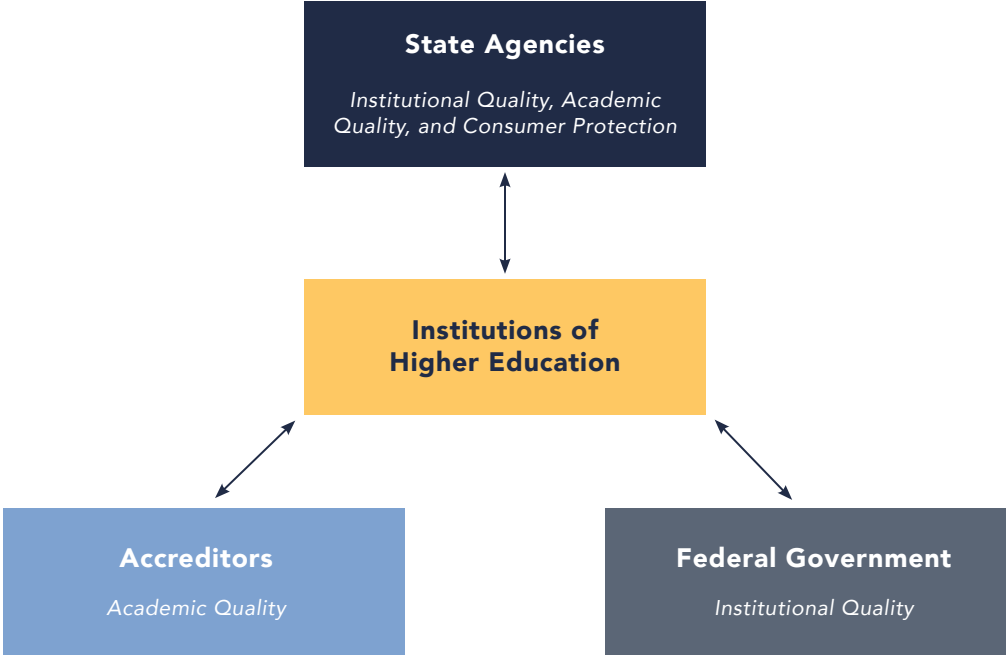
By Krista Kaput, Sharmila Mann, and Nick Lee

SEPTEMBER 2024

Introduction

In fiscal year (FY) 2023, states spent more than \$116 billion, about 9% of their annual state revenues, on their higher education systems.¹ To ensure effective use of these funds, and as part of the program integrity triad, states² directly monitor the quality of their institutions of higher education (IHEs)³ (Figure 1). However, the processes by which states monitor, evaluate, assess, and support quality assurance (QA) across various institution types and the variation in these processes within and across states are not comprehensively understood.

FIGURE 1: THE PROGRAM INTEGRITY TRIAD



Note: This brief is part of Bellwether's three-part series, [Quality Counts](#), examining postsecondary QA. The first brief in the series provides an overview of the program integrity triad responsible for assuring the quality of postsecondary institutions. This current brief introduces a taxonomy and framework for categorizing state postsecondary QA efforts, and uses these tools to discuss, at a high level, how states are engaging in this work. The third brief provides specific examples of state action to monitor and enhance postsecondary quality.

Through desk research and expert interviews, Bellwether sought to better understand states' policies, mechanisms, and metrics for postsecondary QA. At a high level, Bellwether identified **six main levers** through which states strive to assure quality in IHEs:

- **Lever 1: Public Governance Structures** — States establish governance structures to oversee policy, planning, and management of their public colleges and universities.
- **Lever 2: Authorization and Reauthorization** — State regulatory bodies authorize private and out-of-state IHEs to operate and offer educational programs within their state.
- **Lever 3: Program Approval and Review** — State regulatory bodies conduct approvals and periodic reviews to ensure academic programs within institutions comply with state educational standards and legal requirements for continued operation.
- **Lever 4: Data Collection, Analysis, and Dissemination** — States set institutional data reporting requirements, which mainly apply to public institutions, to monitor compliance, performance, and progress toward educational objectives.
- **Lever 5: Consolidation and Closures** — States may use their regulatory authority to merge multiple academic institutions or programs under a unified administrative structure to improve efficiency, reduce costs, and enhance educational outcomes. When an IHE closes, states manage the implementation of federal requirements (e.g., teach-out agreements and student record retention requirements) that the institution must follow to support students' transitions to other IHEs.
- **Lever 6: Consumer Protection** — States employ consumer protection measures (e.g., disclosure requirements and Student Tuition Recovery Funds) to ensure postsecondary institutions provide transparent, accurate information about programs and outcomes, safeguard students' financial investments, and uphold standards to prevent fraud and abuse.

Within these levers, Bellwether identified seven common, broad metric categories for postsecondary QA, as well as examples of several measures within each metric category (Table 1). State-level QA generally involves collecting and analyzing data on key performance indicators such as graduation rates, student retention, job placement outcomes, and financial stability.⁴ These metrics provide quantifiable data that allow states to assess institutional performance, effectiveness, and outcomes. By using a variety of QA metrics, states can identify areas needing improvement, enforce accountability, and allocate resources more effectively. This data-driven approach helps states ensure IHEs meet established standards and students get a robust education that prepares them for academic and professional success.

TABLE 1: COMMON METRIC CATEGORIES USED ACROSS STATE QA LEVELS

Key: State QA Levels

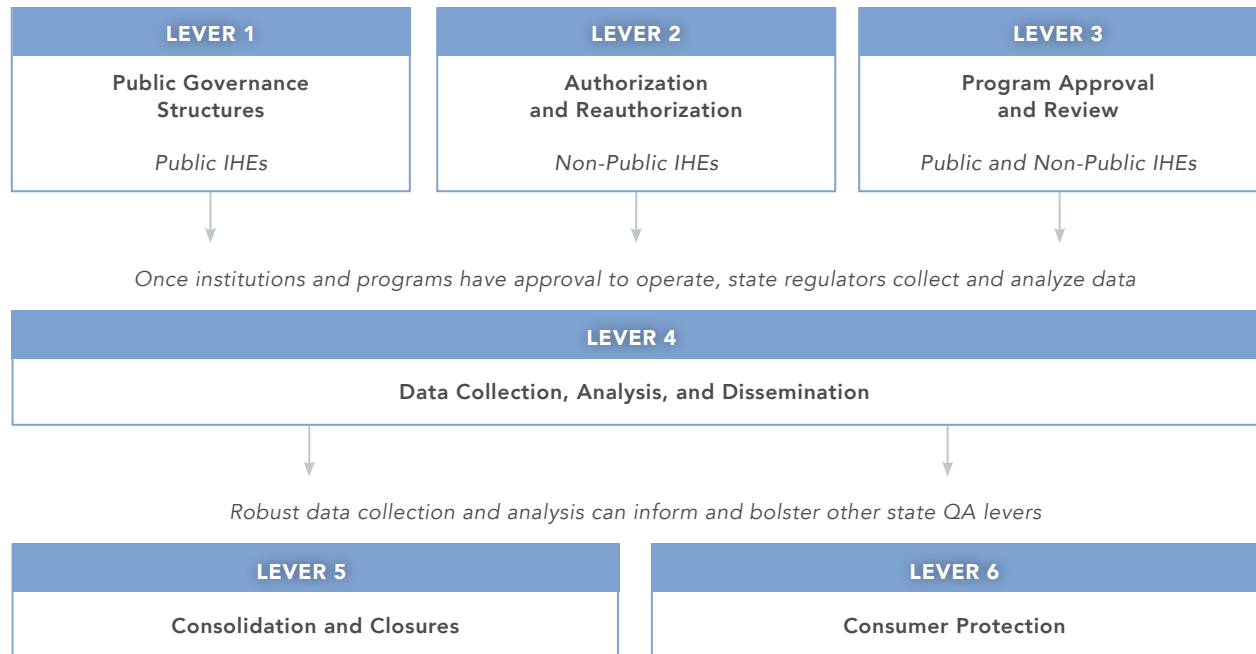
- 1. Public Governance Structures
- 2. Authorization and Reauthorization
- 3. Program Approval and Review
- 4. Data Collection, Analysis, and Dissemination
- 5. Consolidation and Closures
- 6. Consumer Protection

| Metric Categories and Examples | State QA Levels | | | | | |
|---|-----------------|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 1. Student Outcomes <i>Graduation rates, licensure exam passage rates, job placement rates, loan default rates, student satisfaction surveys</i> | X | X | X | X | X | X |
| 2. Current and Projected Student Enrollment <i>Year-over-year institutional enrollment trends, projections of future high school graduates, labor market demand</i> | X | X | X | X | X | |
| 3. Faculty Qualifications/Performance <i>Credentials, expertise, evaluations, teaching effectiveness, research productivity</i> | X | X | X | | | |
| 4. Institutional Data <i>Progress on institutional goals, operational effectiveness (e.g., retention and time to degree)</i> | X | X | X | | | |
| 5. Academic Program Review <i>Curricular alignment to learning outcomes, market demand relevance for program offerings</i> | X | X | X | X | X | X |
| 6. Consumer Protection Mechanisms <i>Number of complaints, sources of complaints, content of complaints</i> | X | X | | | | X |
| 7. Financial Viability <i>Revenue sources, expenditure analysis, financial position, market demands, debt levels, and operating margins</i> | X | X | X | X | X | X |

By using a variety of QA metrics, states can identify areas needing improvement, enforce accountability, and allocate resources more effectively.

Every state differs regarding which of the six levers they use to support postsecondary QA and the intensity with which they employ those levers. The number of metric categories used varies by QA lever, with governance structures employing all seven metric categories and consumer protection employing four. Also, not every state that employs a metric category uses each measure within that category. To aid the field, Bellwether has developed a starting taxonomy of levers, metrics, and measures and a framework to begin categorizing state QA efforts (Figure 2). This brief uses these tools to discuss, at a high level, how states engage in postsecondary QA.

FIGURE 2: FRAMEWORK OF STATE QA LEVERS



Note: For specific examples articulating how states use these levers and approaches to advance and support QA efforts, refer to [Quality Counts: State Action for Postsecondary Quality Assurance](#).

Lever 1: Public Governance Structures

States establish governance structures to guide decision-making, management, and oversight for public IHEs, ensuring these practices align with intended QA efforts (Sidebar 1). In every state, the responsibility for governing public IHEs is assigned to one or more boards at the state, system, and/or institutional levels. These boards are commonly called “board of trustees” or “board of regents,” although names vary by state. Most board members are lay citizens who are appointed, often by the governor. Public postsecondary governance structures are complex and multilayered, and vary across states.⁵

Governing and Coordinating Boards

At the state and system levels,⁶ there are two main types of postsecondary governance structures: governing boards and coordinating boards or agencies.⁷ Governing and coordinating boards share several common responsibilities, including:

- Developing and administering academic policies, programs, and initiatives. (Metrics 1-4; 7)
- Developing and overseeing accountability and performance measures. (Metrics 1; 4-7)
- Approving institutional missions. (Metric 4)
- Reviewing existing academic programs. (Metric 5)
Developing strategic plans for a state or system. (Metrics 4-5)
- Engaging in statewide or systemwide policy planning. (Metrics 4-7)
- Approving and overseeing interstate compacts and reciprocity agreements.⁸ (Metrics 1; 3; 6)

SIDEBAR 1

How do public governance structures support postsecondary QA?

Academic Quality and Standards — Governance structures ensure institutions adhere to high academic standards and continuously improve their educational offerings. By setting policies and standards, governance bodies help maintain the quality of education students receive.

Student Retention and Success — By implementing policies focused on student retention and success, governance structures help institutions develop strategies to support students throughout their academic journeys.

State and Institutional Goal Alignment — Governance structures ensure institutions align their programs and policies with state educational priorities and workforce needs. This alignment helps prepare students for successful careers and contributes to the state’s economic development.

Resource Allocation and Efficiency — Governance bodies are crucial for efficiently and strategically allocating resources, ensuring institutions have the necessary support to provide quality education.

Accountability and Transparency — Effective governance structures promote accountability by requiring institutions to report on their performance and outcomes. This transparency helps stakeholders, including students, parents, and policymakers, make informed decisions about educational options.

6 **Quality Counts:** State Levers for Postsecondary Quality Assurance

Important distinctions exist between these two governance structures (Table 2). Governing boards tend to exercise direct control over IHEs while coordinating boards focus on aligning and advising IHEs. Governing boards also typically have broader authority over IHE operations, while coordinating boards tend to have a more limited, policy-focused scope. These distinctions are crucial, as they influence how decisions are made and executed within and across the state’s public IHEs.

Institutions are generally accountable to only one governing board, though they may also be subject to governance by one or more coordinating boards.⁹ In most cases, an institution under the purview of a state- or system-level governing board will not have an institution-level governing board, while institutions under the purview of a state- or system-level coordinating board will have an institution-level governing board. However, this varies by state.

TABLE 2: DISTINCT RESPONSIBILITIES OF GOVERNING BOARDS VERSUS COORDINATING BOARDS/AGENCIES

| Governing Boards | Coordinating Boards/Agencies |
|--|---|
| <ul style="list-style-type: none"> • Approve or administer bonds. • Approve presidential hiring and/or compensation. • Approve or award degrees and credentials. • Ensure system/institutional efficiencies. • Govern systems and/or institutions. • Monitor or evaluate system/institutional effectiveness. • Promote or advocate for institutions. • Set faculty and personnel policies. | <ul style="list-style-type: none"> • Administer student financial aid and/or loans (Note: primarily the responsibility of their affiliated agencies). • License or approve/authorize specified institutions. • Provide information and data services for the state/systems/institutions. |

Sources: Aims C. McGuinness, Jr., “*State Higher Education Structures and Institutional Accreditation*,” (National Center for Higher Education Management Systems, March 2021); Mary Fulton, “*An Analysis of State Postsecondary Governance Structures*,” Education Commission of the States, October 2019.

Each governance structure has benefits and limitations, though these are not mutually exclusive, given that governing and coordinating boards conduct many similar activities.¹⁰ State- or system-level governing boards have direct institutional control and can provide tailored decision-making for specific institutions, but they can also be resource-intensive and potentially inconsistent across a state system (Table 3).

TABLE 3: BENEFITS AND LIMITATIONS OF GOVERNING BOARDS AS A GOVERNANCE STRUCTURE

| Benefits | Limitations |
|---|--|
| <ul style="list-style-type: none"> • Direct Control and Accountability: Have direct oversight of postsecondary institutions, allowing for clear lines of accountability and responsibility. • Unified Management: Provide a centralized approach to managing multiple IHEs, which can lead to more consistent policies and practices. • Timely Implementation: Able to implement decisions and changes swiftly without needing external approvals. • Focused Attention: May focus their efforts and resources on the specific institutions they govern, ensuring dedicated support and oversight. | <ul style="list-style-type: none"> • Limited Scope: The focus may be limited to specific institutions, which can lead to a lack of coordination and coherence across a broader state or regional system. • Complexity in Large Systems: Managing a diverse array of IHEs under one board can be challenging, particularly in states with numerous or varied IHEs. • Isolation: May operate in isolation from other IHEs, potentially missing opportunities for collaboration and resource sharing. |

In contrast, state- or system-level coordinating boards provide systemwide coordination and strategic planning, promoting consistency and efficient resource allocation, but require institutions to take more direct control (Table 4). Institutions under the purview of a state or system coordinating board generally also have an institutional governing board to direct local decision-making.

TABLE 4: BENEFITS AND LIMITATIONS OF COORDINATING BOARDS/AGENCIES AS A GOVERNANCE STRUCTURE

| Benefits | Limitations |
|---|--|
| <ul style="list-style-type: none"> • Systemwide Coordination: Ensure alignment and coherence across multiple institutions, promoting a unified approach to higher education across the state. • Strategic Planning: Develop and implement strategic plans for the entire higher education system, addressing statewide goals and objectives. • Policy Consistency: Ensure policies and standards are consistent across all institutions, promoting fairness and uniformity in higher education. | <ul style="list-style-type: none"> • Lack of Direct Control: Do not have direct control over individual institutions, which can lead to delays in decision-making and implementation. • Distance From Institutional Issues: Might be less attuned to the specific needs and challenges of individual institutions since they are situated at a higher level. • Resource Constraints: May have limited resources to carry out coordination and planning functions effectively, which can hinder their ability to fulfill their roles. |

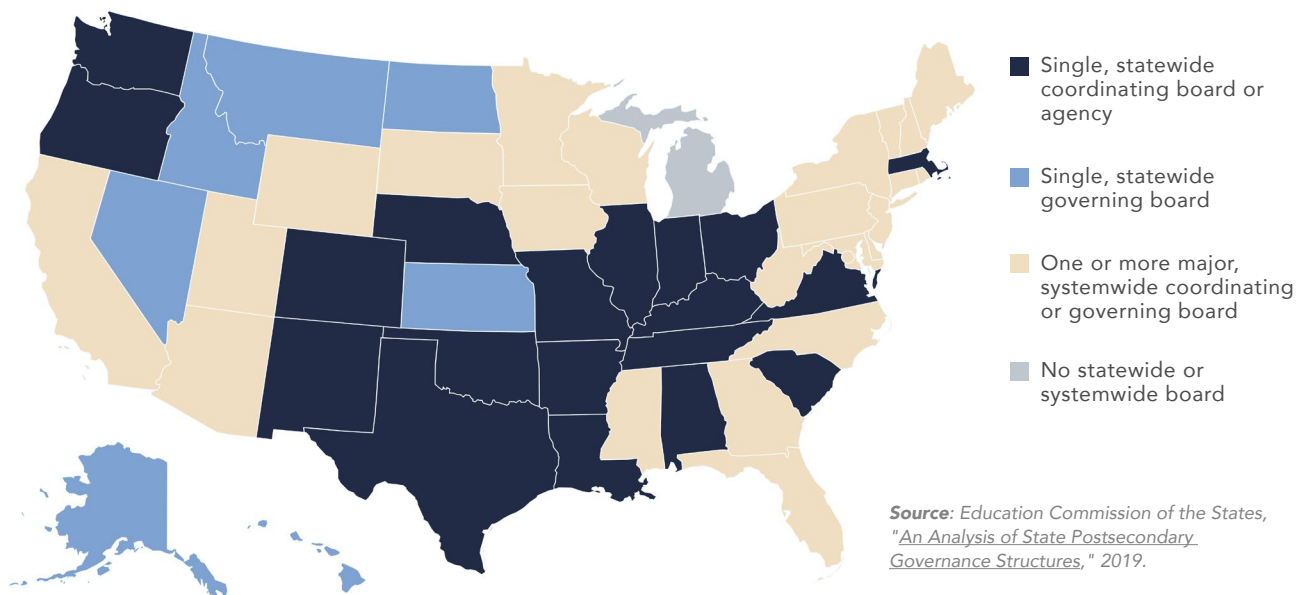
States establish governance structures to guide decision-making, management, and oversight for public IHEs, ensuring these practices align with intended QA efforts.

There is also wide variation in how states have implemented state- and system-level governance structures, with some states having multiple entities (Figure 3):

- **Eight** states have a single statewide governing board.
- **20** states have a single statewide coordinating board or agency (these states have governing boards at the system and/or institutional levels).
- **14** states have one or more major systemwide governing boards.
- **Two** states have one or more major, systemwide coordinating boards (these states have governing boards at the institutional level).
- **Three** states have a major, systemwide coordinating and governing board.

Michigan does not have a statewide postsecondary board or agency or a major, systemwide board, so they do not fall under any governance models.

FIGURE 3: GOVERNANCE MODELS IN THE UNITED STATES



Lever 2: Authorization and Reauthorization

Most states pursue QA for private and out-of-state IHEs by requiring them to undergo two processes to operate within their borders: institutional authorization and reauthorization (Sidebar 2). Some states require all out-of-state IHEs to go through authorization and reauthorization, while others require it only for certain institutional sectors.

In-state public IHEs generally do not go through the state's authorization and reauthorization processes because they are chartered by their state, which gives them inherent authorization to operate within the state.¹¹ As described in Lever 1, in-state IHEs are subject to state oversight and regulation through state, system, and institutional governance structures. They are also subject to the program approval and review processes described in Lever 3, below.

What Is An Out-of-State IHE?

An out-of-state IHE refers to a public or private college or university that is serving students within a state, but physically located outside of that state. Before enrolling students, such institutions must obtain authorization, if required, from each state in which they wish to operate.¹²

Institutional Authorization

Before private and out-of-state IHEs can operate in most states, they are required to undergo an initial authorization process granting the IHE the legal right to operate within the state.¹³ The authorization process is a QA mechanism because it establishes a baseline of state standards that postsecondary institutions must meet before they can begin operations and offer

SIDEBAR 2

How do institutional authorization and reauthorization processes support postsecondary QA?

Access to Quality Education — Authorization and reauthorization processes ensure institutions meet established standards for providing quality education. This includes maintaining rigorous academic programs, qualified faculty, and adequate resources to support student learning and success.

Equity and Inclusion — Reauthorization efforts often include measures to address equity and inclusion, ensuring that all students, regardless of background, have access to quality education. This includes expanding financial aid, supporting minority-serving institutions (e.g., historically Black colleges and universities), and addressing disparities in educational outcomes.

Student Achievement — These processes aim to enhance student achievement by setting and enforcing standards. Institutions must demonstrate their effectiveness in helping students achieve educational goals, leading to higher graduation rates and better academic outcomes.

Accountability and Transparency — Institutions must report on performance metrics, including student outcomes, financial health, and those stipulated by federal regulations. This transparency helps ensure institutions are accountable for their performance and that students and policymakers can access reliable information.

Continuous Improvement — Regular reauthorization cycles encourage institutions to assess and improve their programs and services continuously. This ongoing process helps institutions adapt to changing educational landscapes and student needs, ensuring they remain effective and relevant.

academic programming.¹⁴ In lieu of directly authorizing out-of-state IHEs, some states choose to enter into reciprocity agreements where they accept the other state's authorization of individuals institutions for the purposes of serving students within the state.¹⁵ As a QA mechanism, institutional authorization has both benefits and limitations (Table 5).

In the initial authorization application, state agencies typically request information from IHEs on five metric categories (of the seven described in Table 1):

- **Metric 3: Faculty Qualifications/Performance** — Instructor qualifications.
- **Metric 4: Institutional Data** — Mission and vision, governing board or organizational structure, articles of incorporation, advertising, marketing, and recruiting practices, business licenses, and accreditation information.¹⁶
- **Metric 5: Academic Program Review** — Curricula, credit-hour requirements, admission and graduation requirements, and student support services.¹⁷
- **Metric 6: Consumer Protection Mechanisms** — Student grievance policies, tuition recovery fund, school closure/teach-out plan, surety bond, tuition recovery policy, and student record procedures.¹⁸
- **Metric 7: Financial Viability** — Audited financial statements.

The information requested from IHEs for initial authorization consists primarily of input measures rather than outcome metrics. *Input measures* verify that the institution has the ability to serve students well, as opposed to *outcome metrics*, which demonstrate how well the institution is serving students.

TABLE 5: BENEFITS AND LIMITATIONS OF INSTITUTIONAL AUTHORIZATION

| Benefits | Limitations |
|---|--|
| <ul style="list-style-type: none"> • Quality Baseline: Requires IHEs to meet established standards before operating in a state. • Accountability: Ensures IHEs have the necessary resources and structures to provide quality academic programming and student supports. • Student Protection: Protects students from potentially fraudulent or substandard IHEs. | <ul style="list-style-type: none"> • Administrative Burden: The authorization process can be time-consuming and/or costly for IHEs. • Inconsistency: Authorization processes are specific to each state, which can create quality differences across states. • Reliance on Input Measures: Because IHEs seeking initial authorization have not yet begun to operate, they cannot share outcome measures that demonstrate how well they serve students. |

Institutional Reauthorization

Institutional reauthorization refers to a state authorizing agency’s periodic review of institutional quality.¹⁹ This process ensures private and out-of-state IHEs continue to meet state standards. Institutional reauthorization as a QA mechanism has benefits and limitations (Table 6). During reauthorization, state agencies request input and outcome measures. The most requested metric categories for reauthorization are:

- **Metric 1: Student Outcomes** — Graduation rates, job placement rates, retention rates, cohort default rates, and wage data.²⁰
- **Metric 2: Current and Projected Student Enrollment** — Total enrollment and enrollment status (e.g., full-time or part-time).

These metrics support QA by providing concrete evidence of student success, institutional performance, financial stability, and the overall value of the education provided. These data also allow for meaningful comparisons across IHEs and over time. Some states also require a site visit for reauthorization. Site visits support QA by allowing states to directly assess an institution’s facilities, resources, and operations. They also allow evaluators to verify institutional compliance with regulations and standards firsthand.

TABLE 6: BENEFITS AND LIMITATIONS OF INSTITUTIONAL REAUTHORIZATION

| Benefits | Limitations |
|--|---|
| <ul style="list-style-type: none"> • Continuous Improvement: Provides ongoing QA and monitoring of IHEs and encourages continuous improvement for institutional practices. • Accountability: Allows for periodic review of an IHE's performance to ensure compliance with state standards. | <ul style="list-style-type: none"> • Capacity and Resource Limitations: The process can be time-intensive, which can be hard on an institution’s staff. At the same time, the state agencies may not have the staff capacity to do a thorough review. • Compliance Over Quality: While it varies by state agency, the focus of the process is typically on verifying compliance rather than facilitating quality improvement. |

Note: For an overview of state examples in each of the levers, refer to [Quality Counts: State Action for Postsecondary Quality Assurance](#).

Lever 3: Program Approval and Review

To operate academic programs within a state, both private and public IHEs must undergo two main processes: program approval and program review. Program approval and review processes support QA efforts by comparing potential new programs against current offerings and statewide needs to prevent duplication and promote efficiency and cost savings across institutions (Sidebar 3). State regulators must approve all new programs before institutions begin enrolling students. Program review processes, which occur periodically after initial approval, vary by state in requirements and frequency and are intended to ensure programs continue to be valid, non-duplicative, and high quality.

Program Approval

Program approval serves a QA role by allowing states to review and authorize specific academic programs, ensuring that those offerings meet quality standards and serve the state's educational and workforce needs.²¹ As a QA mechanism, program approval has both benefits and limitations (Table 7).

States typically use six of the seven common metric categories for initial program approval:

- **Metric 1: (Expected) Student Outcomes** — Expected graduation rates and anticipated job placement rates.
- **Metric 2: Current and Projected Student Enrollment** — Projected enrollment numbers and labor market demand for program credentials.
- **Metric 3: Faculty Qualifications/Performance** — Faculty qualifications.

SIDEBAR 3

How do program approval and review processes support postsecondary QA?

Program or Programs' Alignment With Student and Market Needs — These processes assess the relevance of academic programs to student interests and labor market demands. By aligning programs with current and future workforce needs, institutions help students gain skills that are in demand, enhancing their employability upon graduation.

High-Quality Education — Program approval and review processes ensure academic programs meet established quality standards. This includes evaluating curriculum design, faculty qualifications, and resource availability to provide students with a high-quality educational experience.

Equity and Access — Program approval and review processes often include considerations for equity and access, ensuring that programs are inclusive and support diverse student populations. This can help close educational equity gaps and provide all students with opportunities for success.

Student Success and Retention — Program approval and review processes increase student retention and success rates by ensuring that programs are well-designed and effectively delivered. Programs that meet rigorous standards are more likely to support students in achieving their academic and career goals.

Transparency and Accountability — Institutions must document and report on various aspects of their programs for approval, increasing transparency and accountability. This helps students and other stakeholders make informed decisions about educational options and holds IHEs publicly accountable for their performance.

Continuous Improvement — Regular program reviews encourage institutions to assess and improve their academic offerings continuously. This involves analyzing student learning outcomes, stakeholder feedback, and other performance metrics to identify areas for enhancement.

- **Metric 4: Institutional Data** — Alignment with the postsecondary institution’s mission and state educational priorities, accreditation plans, and student support services.
- **Metric 5: Academic Program Review** — Program market demands, curricula details, facilities, and equipment required.
- **Metric 7: Financial Viability** — Financial viability and sustainability.

TABLE 7: BENEFITS AND LIMITATIONS OF PROGRAM APPROVAL

| Benefits | Limitations |
|---|---|
| <ul style="list-style-type: none"> • Quality Baseline: Ensures individual academic programs meet the state’s quality standards. • Market Demands: Helps align programs with the state’s priorities and workforce needs. | <ul style="list-style-type: none"> • Limited Capacity and Resources: Requires significant resources from state agencies to evaluate the new programs. |

Program Review

Program review is a continuous improvement process that allows states to monitor and hold IHEs accountable for providing quality programming through their approved programs. It typically involves a comprehensive evaluation, including internal and external reviews, that focuses on several aspects of an academic program’s quality. Program review as a QA mechanism has both benefits and limitations (Table 8). State agencies collect data on various metrics during a program review, including faculty qualifications and performance, institutional data, and academic program data. The student outcome measures most requested in program review applications are graduation and retention rates, job placement rates, licensure and certificate exam passage rates, student satisfaction surveys, time to degree completion, and post-graduation earnings.²² These metrics offer concrete data on how well students have progressed through academic programming and how graduates have benefited from their educational experience.

TABLE 8: BENEFITS AND LIMITATIONS OF PROGRAM REVIEW

| Benefits | Limitations |
|---|---|
| <ul style="list-style-type: none"> • Continuous Improvement: Allows institutions to identify areas for improvement and enhance their programs. • Alignment With State Goals: Helps ensure programs align with broader state educational priorities and economic needs. • Accountability: Provides a way for institutions to demonstrate their commitment to quality education and responsible use of resources. | <ul style="list-style-type: none"> • Administrative Burden: Can be time-consuming and resource-intensive for institutions, requiring significant effort to prepare documentation and host site visits. • Compliance Over Quality: Depending on the process, the focus could be on compliance rather than quality. • Timeliness: Depending on review frequency, there may be delayed responses to institutional conditions and economic needs which can rapidly shift. |

Lever 4: Data Collection, Analysis, and Dissemination

Annual institutional reporting requirements and statewide attainment goal data are integral to supporting the state's role in postsecondary QA. These data collection processes allow state agencies, governing boards, coordinating agencies, governors, and state legislatures to track critical postsecondary institutional performance metrics (Sidebar 4).²³

All states have annual institutional reporting requirements, while a subset include student outcome metrics within those requirements. Most states have set attainment goals and are tracking progress toward those goals. Additionally, some states have made significant progress in tracking and using outcome data to drive policy and initiatives. The agencies responsible for housing and analyzing this data vary by state and may include the state higher education agency, the state department of education, and a separate agency or organization established to manage the state's education data.

Annual Reporting

State reporting requirements for IHEs are data requests separate from reauthorization and review requests. These requirements differ across states but typically include student outcomes data (Metric 1), enrollment and demographics information (Metric 2), and financial viability metrics (Metric 7). As a QA mechanism, annual reporting requirements have benefits and limitations (Table 9).

Required reporting ensures transparency, accountability, and compliance with standards set by accrediting bodies or governmental agencies, which aids the state in maintaining the

SIDEBAR 4

How does data collection, analysis, and dissemination support postsecondary QA?

Accountability — States can create public accountability for IHE performance by mandating the collection and reporting of data on student outcomes.

Policy and Investment Guidance — Comprehensive data collection helps policymakers and stakeholders assess the effectiveness of IHEs and programs and is vital for making informed decisions regarding public investments and policy reforms.

Equity — Disaggregated data provides a picture of disparities in educational outcomes that can help target interventions to support underserved populations.

quality of its IHEs. They also support continuous informal monitoring and improvement efforts at the institutional level. Institutions may face consequences if they fail to submit their annual report to the state, ranging from financial penalties to loss of authorization.²⁴

State reporting requirements differ by institution type. Public IHEs typically have more comprehensive state-specific reporting requirements due to their reliance on public funding and accountability to state governments.²⁵ Private IHEs generally have fewer state-specific reporting requirements, although this differs by state.

TABLE 9: BENEFITS AND LIMITATIONS OF ANNUAL REPORTING

| Benefits | Limitations |
|--|--|
| <ul style="list-style-type: none"> • Accountability: Student outcome metrics like graduation rates, retention, and post-graduation earnings enable states to evaluate if institutions deliver value to students. • Identify Consumer Protection Issues: Can illuminate potential consumer protection issues such as misrepresentations of expected student outcomes or lack of support services. | <ul style="list-style-type: none"> • Institutional Administrative Burden: Compiling extensive data across multiple surveys and metrics imposes significant workloads and compliance costs on institutions. This can divert resources from other important programming. • Data Validity: IHEs self-report submitted data, leading to potential validity and accuracy issues. • State Capacity Limitations: Many state agencies lack adequate staffing and resources to thoroughly analyze and act upon the volume of reported data in a timely manner. • Burden/Overregulation Concerns: There may be pushback, especially from elite private institutions, about excessive state reporting requirements beyond accreditation and federal mandates. |

Attainment Goals

State higher education attainment goals outline specific targets or objectives that states want their residents to achieve.²⁶ Typically set by governors, state legislatures, state agencies, or IHEs, attainment goals support postsecondary QA because they serve as a form of informal, yet highly visible, accountability. They establish a strategic framework for improving student outcomes (Metric 1) and ensuring IHEs meet the needs of the state, employers, and the broader community (Metric 5). Attainment goals support QA by guiding the development of IHE improvement plans, shaping student support services and retention strategies, and driving data collection and decision-making to track progress. As a QA mechanism, attainment goals have benefits and limitations (Table 10).

Attainment goals can serve as a motivator and measure of success. These goals commonly include increasing the percentage of the state’s residents who obtain postsecondary credentials, both degrees and certificates, over time to better meet the state’s workforce needs and improve the overall quality of life. These goals also encourage institutions to focus on student outcomes, align their offerings with societal needs, and continuously strive for improvement. They can catalyze state and postsecondary policy development, state funding allocation, and other efforts to strengthen the state’s workforce and IHE systems.

Attainment goals support QA by guiding the development of IHE improvement plans, shaping student support services and retention strategies, and driving data collection and decision-making to track progress.

TABLE 10: BENEFITS AND LIMITATIONS OF ATTAINMENT GOALS

| Benefits | Limitations |
|---|--|
| <ul style="list-style-type: none"> • Transparency: Provide a clear, measurable target to drive policies and initiatives to improve college access, affordability, and completion rates. • Promote Equity: Can help focus efforts and resources on closing equity gaps in degree attainment. | <ul style="list-style-type: none"> • Disincentivize Quality: If attainment goals are not paired with metrics aligned to the value of credentials produced, they could incentivize states to prioritize increasing enrollment over ensuring quality educational experiences. • Overlook Equity: An attainment goal that only aims to increase the total number or percentage of individuals achieving a certain educational level may not address disparities along economic or racial dimensions and can potentially widen existing gaps if improvement primarily benefits advantaged populations. • Inadequate Progress May Disappoint: Unrealistic or overly ambitious goals could lead to disillusionment if insufficient progress is made in achieving them. |

Lever 5: Consolidation and Closures

Since 2016, more than 110 public and private nonprofit universities across 36 states have closed or been consolidated.²⁷ State closures and consolidation of IHEs are complex issues often intertwined with efforts to maintain and enhance QA (Sidebar 5). Various factors, like poor student outcomes (Metric 1), declining enrollment (Metric 2), shifts in educational priorities (Metric 5), or financial sustainability (Metric 7), drive these efforts. From a QA perspective, these actions necessitate rigorous oversight to ensure students' academic experiences are not compromised.

Notably, Lever 5 is a conditional QA lever because only some consolidations and closures are driven by quality issues, and even then, QA is likely not the only driver for state action. However, in some instances, supporting QA and raising student academic outcomes have been explicitly named as part of the state's rationale for consolidation.

Consolidation

Consolidation of IHEs occurs when two or more colleges or universities are merged or integrated into a single entity. State-directed consolidation can serve as a QA lever when it aims to improve academic programming and academic outcomes (Metric 1) through streamlined governance, and maximized resource allocation (Metric 7).²⁸ As a QA mechanism, consolidation has both benefits and limitations (Table 11). There are four main types of consolidation:

- **Merger:** Two or more institutions combine to form a new, single institution. This may involve combining administrative structures, academic programs, and campuses.
- **Acquisition:** One institution absorbs another, incorporating its programs, faculty, and facilities into the larger institution.

SIDEBAR 5

How do consolidation and closures support postsecondary QA?

Access — For institutions at risk of closure, consolidation may be seen to preserve access to education for students who might otherwise lose options.

Academic Offerings — Consolidation aims to combine the strengths of multiple institutions to provide a broader range of high-quality academic programs and improved educational experiences for students.

Student Support Services — Combining resources may enhance student support services across consolidated institutions.

Retention and Graduation Rates — Consolidation can enhance student retention and graduation rates by reallocating resources toward better academic support services, streamlining administrative processes, and fostering collaboration among faculty and staff.

Financial Stability — Consolidation is often pursued to create more financially stable entities to continue providing quality education, especially for struggling institutions.

Efficiency and Resource Allocation — Consolidations intend to improve the quality of education and services provided to students by streamlining operations and allocating resources more effectively across merged institutions.

Workforce Alignment — Consolidations may aim to better align higher education systems with state educational priorities and workforce development needs.

- **Partnership/Alliance:** Institutions may enter into a formal agreement to share resources, such as facilities, faculty, or academic programs, without fully merging.
- **System Integration:** Multiple institutions within a university system may be integrated to streamline operations and governance. These institutions often retain their individual campuses and identities while sharing central administration.²⁹

State-directed consolidation generally involves IHEs of the same type (e.g., public four-year universities). Institutions of different types (e.g., public and private, two-year and four-year) can also be consolidated. However, it is not nearly as common, with consolidation between public and private IHEs being particularly rare. Private institutions must voluntarily elect to participate in state-directed consolidation efforts; a state cannot force two private institutions to consolidate, nor can it force a private institution to merge with a public institution.

TABLE 11: BENEFITS AND LIMITATIONS OF CONSOLIDATION

| Benefits | Limitations |
|--|---|
| <ul style="list-style-type: none"> • Academic Program Standardization: Allows for the alignment of academic programs across multiple campuses, ensuring consistent quality standards in curriculum development, course delivery, and learning outcomes assessment. • Improved Student Services: Can lead to more comprehensive and standardized student support services, including academic advising, career counseling, and tutoring, which contribute to overall educational quality. • Centralized Data Management: Enables the creation of a unified data management system, allowing for more comprehensive analysis of student performance, retention rates, and graduate outcomes across all campuses. • Centralized and Improved Quality Feedback Loops: Can facilitate the implementation of more comprehensive feedback mechanisms from students, alumni, and employers, allowing for continuous improvement in academic quality across all campuses. | <ul style="list-style-type: none"> • Increased Costs: Institutions tend to underestimate the additional training costs required for staff during the consolidation implementation process. • Failure to Achieve Expected Cost Savings: Consolidations often fail to reduce costs in expected areas like staffing because most positions are tied directly to enrollment levels. • Opportunity Costs and Loss of Students: Consolidating institutions could experience an “opportunity cost” where students who would have been retained pre-consolidation instead depart, especially in the cohorts immediately following implementation.³⁰ • Disruption and Instability During Transition: The consolidation process can create instability as new services come online, positions are eliminated or restructured, and staff must adapt to accommodate students from different campuses with varying needs. • Questionable Long-term Benefits: Some studies have questioned whether the purported financial benefits of consolidation, especially when maintaining separate campuses, outweigh the disruption and costs.³¹ |

Since 2016, more than 110 public and private nonprofit universities across 36 states have closed or been consolidated. State closures and consolidation of IHEs are complex issues often intertwined with efforts to maintain and enhance QA.

Closures

Most institutional closures occur without direct state intervention. When a state closes an IHE, it is usually as a last resort. States tend to close institutions when they face severe financial difficulties, violate regulations, or fail to meet quality standards. Closure as a QA mechanism has benefits and limitations (Table 12).

TABLE 12: BENEFITS AND LIMITATIONS OF CLOSURES

| Benefits | Limitations |
|---|---|
| <ul style="list-style-type: none">• Financial Stability: Helps maintain the overall health of the higher education system.• Accountability: Ensures that only institutions meeting quality standards continue to operate, potentially improving the overall quality of higher education, and reducing risk to students.• Resource Allocation: Allows for the reallocation of resources to more viable and successful institutions. | <ul style="list-style-type: none">• Disruption to Students' Education: Can significantly disrupt students' academic progress, potentially forcing them to transfer or abandon their studies.• Financial Impact on Students: Can create financial challenges for students, such as issues with student loans, loss of credits, and additional costs associated with transferring to another institution.• Difficulty Accessing Records: Can create administrative challenges for students seeking to obtain transcripts and other important records to facilitate transfer. |

While states generally do not direct institutional closures, once a decision has been made to close a postsecondary institution, they play a critical role in managing the closure and ensuring that the process meets federal requirements and protects students' interests. For institutions that participate in Title IV programs, the federal government requires several components related to IHE closure, including:³²

- **Developing Teach-out Plans:** IHEs are required to create a detailed plan that provides students the opportunity to complete their program of study after a school's closure. This ensures "equitable treatment of students" when an IHE, or specific program within an IHE, ceases to operate.³³ Minimally, teach-out plans include a list of currently enrolled students, academic programs offered by the IHE, and the names of other IHEs that "offer similar programs and that could potentially enter into a teach-out agreement" with the IHE.³⁴
- **Establishing Teach-out Agreements:** As part of the teach-out plan, IHEs may enter into formal teach-out agreements with other IHEs, indicating they will accept transferring students in case of closure. These agreements ensure students can complete their programs at another institution without significant additional costs or delays.³⁵
- **Providing Clear and Transparent Communication About Closure:** The closing IHE must promptly notify students, faculty, and staff about the closure and the teach-out plan. This includes providing information on how students can obtain a closed school discharge of their student loans and details on state refund policies.³⁶
- **Preserving Student Academic Records:** Federal regulations require IHEs to maintain accurate and complete student records, such as transcripts, billing, and financial aid records, after institutional closure for at least three years to ensure these documents are preserved and accessible for students and other IHEs.³⁷

Note: Many states have implemented policies with additional criteria beyond the federal minimum requirements. To see specific state examples on state consolidation and closures, refer to [Quality Counts: State Action for Postsecondary Quality Assurance](#).

Lever 6: Consumer Protection

Part of the state's responsibility in supporting higher education QA includes setting and enforcing consumer protection measures (Sidebar 6). These measures ensure students are treated fairly and protected against fraud and deceptive practices. The two primary ways states enforce consumer protection are through legislative action and the actions of their attorneys general.

What Is Consumer Protection for IHEs?

Consumer protection in the context of IHEs is based on four key principles:

- **Financial Aid Transparency:** Ensure clear and accurate information regarding costs, financial aid options, and repayment obligations. (Metric 7)
- **Educational QA:** Monitor and enforce standards related to academic programs, accreditation, and outcomes. (Metrics 1 and 5)
- **Fair Treatment:** Prohibit deceptive practices, discrimination, or unfair treatment of students in admissions, financial aid, or academic matters. (Metric 6)
- **Grievance Procedures:** Provide mechanisms for students to resolve disputes or file complaints related to educational experiences, financial matters, or institutional policies. (Metric 6)

SIDEBAR 6

How do consumer protection measures support postsecondary QA?

Fraud and Abuse Oversight — State-level consumer protection laws are designed to protect students from IHEs' fraudulent, deceptive, and misleading practices and correct harms in cases where abuse occurs.³⁸

Equity in Access — States can enforce consumer protection laws to help ensure all students, including those from underserved communities, have access to high-quality educational programs.

Accountability — States play a crucial role in holding IHEs accountable for their performance and compliance with regulations. By maintaining rigorous oversight, states can ensure institutions operate within the legal framework and uphold quality standards.

Student Empowerment — Providing transparent and accessible consumer information helps students make informed educational decisions.

Regulatory Safeguards — Strengthening state oversight can complement federal regulations and accreditation standards, providing a more robust and comprehensive regulatory environment.³⁹

State Legislation

All states have general consumer protection laws that safeguard consumers from unfair, deceptive, and fraudulent business practices, including against IHEs.⁴⁰ These general consumer protection laws are foundational to protecting students. Many states have also enacted specific consumer protection laws that apply only to IHEs which contextualize and enhance general consumer protection laws.⁴¹ Consumer protection legislation as a QA mechanism has benefits and limitations (Table 13). Some examples of the types of consumer protection laws states enact include:

- **Student Tuition Recovery Funds:** Establish funds to reimburse students in case of school closures.
- **Disclosure Requirements:** IHEs must provide prospective students with detailed information, including graduation rates, program costs, and job placement statistics.
- **Restrictions on Withholding Transcripts:** Federal law prevents IHEs from withholding transcripts for credits paid for with federal financial aid, with some states going beyond the federal requirements to provide additional protections for students.
- **Student Loan Borrower Protections:** Protect borrowers from unfair practices by loan servicers and help students through student loan ombudsman positions.
- **Teach-out and School Closure Regulations:** IHEs are required to have teach-out plans or agreements to protect students during school closures.

TABLE 13: BENEFITS AND LIMITATIONS OF CONSUMER PROTECTION THROUGH STATE LEGISLATION

| Benefits | Limitations |
|--|---|
| <ul style="list-style-type: none"> • Protecting Students From Deceptive Practices: State laws can prohibit deceptive marketing, false advertising, and unfair practices in IHEs. Requirements for clear disclosure of program costs, employment prospects, and loan obligations help students make informed decisions. • Processes for Student Complaints: Many states require institutions to have formal student complaint processes, so state agencies and/or state attorneys general can directly investigate and resolve student complaints. • Oversight and Accountability: State laws can require oversight mechanisms, such as program reviews, audits, and complaint processes, to hold IHEs accountable. State laws that include mechanisms like tuition recovery or loan forgiveness can provide relief to students who have been wronged by an IHE. • Safeguarding Public Funds: For institutions that receive public funding or federal aid, state laws can protect against the misuse of public funding. State laws that include some financial responsibility standards can reduce the risk that an IHE will close. | <ul style="list-style-type: none"> • Regulatory Burden: Complying with varying state-specific higher education laws can create an administrative and cost burden for institutions operating in multiple states. • Inconsistent Standards: Lack of uniformity in state laws can lead to inconsistent standards and requirements for institutions across different jurisdictions. • Overregulation Concerns: Some may argue that IHEs, especially public and nonprofit institutions, are already heavily regulated, and additional state consumer protection laws constitute unnecessary overregulation. • Enforcement Challenges: Ensuring effective enforcement of state laws against online/ out-of-state institutions can be difficult for states due to jurisdictional limitations and resource constraints. |

State Attorneys General

State attorneys general ensure IHEs adhere to laws and regulations safeguarding students' rights. They investigate and prosecute cases involving fraudulent or deceptive practices by postsecondary institutions, like misleading marketing claims, predatory lending practices, and violations of student privacy.⁴² They can also advocate for policy changes to enhance transparency and accountability in higher education. Using attorneys general as a QA mechanism for consumer protection has benefits and limitations (Table 14).

State attorneys general also sometimes collaborate with their counterparts across states and with federal agencies to address widespread issues affecting students nationwide. For example, in 2020, 48 state attorneys general worked together to secure \$330 million in debt relief for 35,000 former students of ITT Technical Institute, which had been accused of deceptive and predatory practices, including misleading students, fraudulent loan practices, and manipulating job placement data.⁴³

TABLE 14: BENEFITS AND LIMITATIONS OF CONSUMER PROTECTION THROUGH ATTORNEYS GENERAL

| Benefits | Limitations |
|---|---|
| <ul style="list-style-type: none"> • Protecting Students From Deceptive Practices: Attorneys general enforce laws that prohibit deceptive marketing, false advertising, and unfair practices by IHEs. This ensures that students receive clear disclosures about program costs, employment prospects, loan obligations, and other critical information, helping them make informed decisions • Processes for Student Complaints: Many attorneys general oversee formal student complaint processes required by many states. This allows them to directly investigate and resolve student complaints, ensuring that grievances are addressed promptly and fairly. • Oversight and Accountability: Attorneys general enforce laws that mandate oversight mechanisms like program reviews, audits, and complaint procedures for IHEs. These measures hold institutions accountable for their actions and ensure transparency in operations. • State Autonomy: Attorneys general exercise state autonomy by regulating institutions operating within their state boundaries. This authority allows them to enforce state-specific consumer protection laws tailored to the needs and challenges faced by local students and educational institutions. | <ul style="list-style-type: none"> • Regulatory Burden: Attorneys general enforce state-specific higher education laws, creating an administrative and cost burden for institutions operating across multiple states. Compliance with varying regulations requires extensive resources and expertise to navigate. • Regulatory Inconsistency: With 50 attorneys general, there can be differing enforcement procedures by state. Institutions that operate across many states face different challenges with the differing state requirements, and there could be variability in what attorneys general enforce across different states. • Inconsistent Standards: The lack of uniformity in state laws enforced by attorneys general results in inconsistent standards and compliance requirements for IHEs across different jurisdictions. This variability can complicate operational planning and compliance efforts. • Enforcement Challenges: Attorneys general encounter difficulties in effectively enforcing state laws against online or out-of-state institutions due to jurisdictional limitations and resource constraints. This can hinder the enforcement of consumer protection measures intended to safeguard students and public funds. |

The postsecondary QA field continues to develop practices and policies to adapt to the changing requirements and behavior of IHEs.

Conclusion

States play a crucial role in ensuring the quality and accountability of IHEs. Every state differs regarding which levers they use to support postsecondary QA and the intensity with which they employ them. The postsecondary QA field continues to develop practices and policies to adapt to the changing requirements and behavior of IHEs.

While no state has developed a comprehensive system that utilizes all six levers cohesively for postsecondary QA, several states have taken actions to support QA that serve as bright spots within specific levers. ✨

Note: The final brief in this three-part series, [Quality Counts: State Action for Postsecondary Quality Assurance](#), includes more in-depth information on state examples in practice.

Endnotes

- 1 "State Higher Education Report," State Higher Education Finance, https://shf.sheeo.org/report/?report_page=sources-and-uses-of-state-funding.
- 2 Bellwether includes the District of Columbia in its definition of "state."
- 3 Alexandra Hegji, "An Overview of Accreditation of Higher Education in the United States," *Congressional Research Service*, April 12, 2024, p. 1, <https://crsreports.congress.gov/product/pdf/R/R43826>.
- 4 David A. Tandberg and Rebecca R. Martin, "Quality Assurance and Improvement in Higher Education: The Role of the States" (SHEEO, May 2019), p. 10, <https://files.eric.ed.gov/fulltext/ED598640.pdf>.
- 5 Mary Fulton, "An Analysis of State Postsecondary Governance Structures," *Education Commission of the States*, October 2019, p. 2, <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>.
- 6 In this brief, we focus on state and systemwide boards, which oversee multiple institutions within the state. In contrast, institutional governing boards focus on overseeing individual colleges or universities.
- 7 Since this brief focuses on the state's role in quality assurance, boards of directors that oversee private institutions are excluded, as these boards do not fall under the state's purview.
- 8 Fulton, "An Analysis of State Postsecondary Governance Structures," p. 7.
- 9 Although this is generally true, some institutions may be accountable to multiple governing boards at multiple levels (state, system, institution).
- 10 The benefits and limitations identified for each lever emerged from Bellwether's analysis of desk research and expert interviews conducted to inform this series of briefs.
- 11 "State Institutional Approval Quick Chart | State Authorization Network," January 8, 2024, <https://wcetsan.wiche.edu/resources/state-institutional-approval-quick-chart>; Aims C. McGuinness, Jr., "State Higher Education Structures and Institutional Accreditation" (National Center for Higher Education Management Systems, March 2021).
- 12 "State Authorization 101," <https://wcetsan.wiche.edu/state-authorization-101>.
- 13 Troy Kowatch, "Quality Assurance and Improvement In Higher Education: The Role of the States," *NASH* (blog), May 28, 2019, <https://nash.edu/2019/05/quality-assurance-and-improvement-in-higher-education-the-role-of-the-states/>; Tandberg et al., "Quality Assurance and Improvement in Higher Education: The Role of the States."
- 14 Kowatch, "Quality Assurance and Improvement In Higher Education: The Role of the States."
- 15 For example, 49 states and the District of Columbia are currently participating in a shared reciprocity agreement with respect to postsecondary education provided through distance and online technologies; "State Authorization Reciprocity Agreement (SARA)," Department of Education, [https://www.education.pa.gov:443/Postsecondary-Adult/CollegeCareer/Pages/State-Authorization-Reciprocity-Agreement-\(SARA\).aspx](https://www.education.pa.gov:443/Postsecondary-Adult/CollegeCareer/Pages/State-Authorization-Reciprocity-Agreement-(SARA).aspx); "State Authorization Reciprocity Agreements Policy Manual" (National Council for State Authorization Reciprocity Agreements, December 8, 2023), https://nc-sara.org/sites/default/files/files/2023-12/SARA_Policy_Manual_231_blackline_12-08-23.pdf.
- 16 David A. Tandberg, Ellie M. Bruecker, and Dustin D. Weeden, "Improving State Authorization: The State Role in Ensuring Quality and Consumer Protection in Higher Education" (SHEEO, July 2019), https://sheeo.org/wp-content/uploads/2019/07/SHEEO_StateAuth.pdf.
- 17 Ibid.
- 18 Ibid.
- 19 Kowatch, "Quality Assurance and Improvement In Higher Education: The Role of the States."
- 20 Ibid.
- 21 Kowatch, "Quality Assurance and Improvement In Higher Education: The Role of the States"; Tandberg et al., "Quality Assurance and Improvement in Higher Education: The Role of the States."
- 22 David Tandberg, Ellie Bruecker, and Dustin Weeden, "Improving State Authorization: The State Role In Ensuring Quality and Consumer Protection In Higher Education" (SHEEO, July 2019), https://sheeo.org/wp-content/uploads/2019/07/SHEEO_StateAuth.pdf.
- 23 "Institutional Reporting and Disclosure Requirements | 2020-2021 Federal Student Aid Handbook," Federal Student Aid, U.S. Department of Education, <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2020-2021/appendices/appx-f-institutional-reporting-and-disclosure-requirements>; Wesley Whistle, "How Higher Education Data Reporting Is Both Burdensome AND Inadequate," *Third Way*, November 1, 2017, <https://www.thirdway.org/report/how-higher-education-data-reporting-is-both-burdensome-and-inadequate>.
- 24 "Annual Reporting Form (Appendix AP0)," Alaska Commission on Postsecondary Education, September 2023, https://acpe.alaska.gov/Portals/0/IA/ACPE_Annual_Report_2023.pdf.
- 25 David P. Smole, "Reporting and Disclosure Requirements for Institutions of Higher Education to Participate in Federal Student Aid Programs Under Title IV of the Higher Education Act," *Congressional Research Service*, August 31, 2009, <https://crsreports.congress.gov/product/pdf/R/R40789/2>.

- 26 “Strategy Labs: State Policy to Increase Higher Education Attainment,” Lumina Foundation, January 12, 2024, https://www.luminafoundation.org/stronger-nation/report/static/States_with_Higher_Education_Attainment_Goals.pdf.
- 27 “How Many Colleges and Universities Have Closed since 2016?,” *Higher Ed Dive*, July 1, 2024, https://www.highereddive.com/news/how-many-colleges-and-universities-have-closed-since-2016/539379/?referrer_site=www.educationdive.com.
- 28 Lee Gardner, “More States Are Looking at Consolidating Their Public Colleges. Does It Work?,” *The Chronicle of Higher Education*, July 30, 2020, <https://www.chronicle.com/article/more-states-are-looking-at-consolidating-their-public-colleges-does-it-work>.
- 29 Martin Kurzweil, Melody Andrews, Catharine Bond Hill, Sosanya Jones, Jane Radecki, and Roger C. Schonfeld, “Public College and University Consolidations and the Implications for Equity,” *Ithaca S+R* (blog), August 30, 2021, <https://sr.ithaka.org/publications/public-college-and-university-consolidations-and-the-implications-for-equity/>.
- 30 Paul Valentine, “Consolidations in Higher Education: How Collaborative Structures and Processes Impact the Outcomes of Organizational Change,” August 2018, <https://shareok.org/handle/11244/301333>.
- 31 Kurzweil, Andrews, Bond Hill, Jones, Radecki, and Schonfeld, “Public College and University Consolidations and the Implications for Equity”; Patrick Nolan, “Consolidating Without Merging: A New Option for Higher Ed,” *FutureEd*, June 4, 2018, <https://www.future-ed.org/consolidating-without-merging-a-new-option-for-higher-ed/>.
- 32 Alexandra Hegji, “The Closure of Institutions of Higher Education: Student Options, Borrower Relief, and Other Implications,” November 17, 2020, *Congressional Research Service*, <https://crsreports.congress.gov/product/pdf/R/R44737>; Office of Postsecondary Education, Department of Education, “Record Retention and Examinations” § 668.24, <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-668/subpart-B/section-668.24>.
- 33 “Teach-Out Arrangements (FDCR.B.10.010) | Policies,” Higher Learning Commission, <https://www.hlcommission.org/Policies/teach-out-arrangements.html>; Hegji, “The Closure of Institutions of Higher Education: Student Options, Borrower Relief, and Other Implications.”
- 34 “Record Retention and Examinations” § 668.24.
- 35 “Teach-Out Arrangements (FDCR.B.10.010) | Policies.”; Hegji, “The Closure of Institutions of Higher Education: Student Options, Borrower Relief, and Other Implications.”
- 36 Ibid; “Teach-Out Arrangements (FDCR.B.10.010) | Policies.”
- 37 Jessica Duren, “Study Finds State Protection Policies Need Improvement to Reduce Student Harms Associated with College Closures,” SHEEO, August 4, 2023, <https://sheeo.org/college-closure-protection-policies/>; Gretchen Lohman and Stephanie Bernoteit, “Thought Paper on Institutional Closure,” Illinois Board of Higher Education, September 2019, <https://www.ibhe.org/Thought-Paper-Institutional-Closure.html>; Hegji, “The Closure of Institutions of Higher Education: Student Options, Borrower Relief, and Other Implications”; “Teach-Out Arrangements (FDCR.B.10.010) | Policies.”
- 38 Kowatch, “Quality Assurance and Improvement In Higher Education: The Role of the States.”
- 39 Robyn Smith and Libby Webster, “Examining the States’ Role in Protecting Online College Students from Predatory Practices Part II: State Higher Education Consumer Protection Laws and Interstate Reciprocity,” Postsecondary Equity & Economics Research Project, January 2024, https://defendstudents.org/peer/body/PEER_Protect-Online_PARTII_B.pdf.
- 40 “Consumer Protection in the States: A 50-State Evaluation of Unfair and Deceptive Practices Laws,” NCLC, <https://www.nclc.org/resources/how-well-do-states-protect-consumers/>.
- 41 Smith et al., “Examining the States’ Role in Protecting Online College Students from Predatory Practices Part II: State Higher Education Consumer Protection Laws and Interstate Reciprocity.”
- 42 “What Attorneys General Do,” National Association of Attorneys General, <https://www.naag.org/attorneys-general/what-attorneys-general-do/>; The Council of State Governments’ survey of attorneys general offices, “Attorneys General: Prosecutorial and Advisory Duties” (Book of the States, 2022), <https://bookofthestates.org/tables/attorneys-general-prosecutorial-and-advisory-duties/>.
- 43 Robert Storage, “How NJ and Other States Fared in \$330 Million Settlement With ITT Tech,” *New Jersey Law Journal*, September 16, 2020, <https://www.law.com/njlawjournal/2020/09/16/how-much-did-attorneys-general-get-for-former-itt-tech-students-in-your-state-under-330m-deal-399-49554/?slreturn=20240708192025>; “Attorney General Ford Announces Former ITT Students to Receive \$330 Million in Debt Relief in Settlement,” AG.NV.gov, September 15, 2020, https://ag.nv.gov/News/PR/2020/Attorney_General_Ford_Announces_Former_ITT_Students_to_Receive_%24330_Million_in_Debt_Relief_in_Settlement/; “ITT Bankruptcy Trustee Sues The Department of Education and Private Loan Trusts For Victimized Students | Press Release,” Project on Predatory Student Lending, Project on Predatory Student Lending, <https://www.ppsl.org/news/news/press-releases/itt-bankruptcy-trustee-sues-department-education-private-loan>.

About the Authors



KRISTA KAPUT

Krista Kaput is a senior analyst at Bellwether in the Policy and Evaluation practice area. She can be reached at krista.kaput@bellwether.org.



SHARMILA MANN

Sharmila Mann is an associate partner at Bellwether in the Policy and Evaluation practice area. She can be reached at sharmila.mann@bellwether.org.



NICK LEE

Nick Lee is a partner at Bellwether in the Policy and Evaluation practice area. He can be reached at nick.lee@bellwether.org.

About Bellwether

Bellwether is a national nonprofit that exists to transform education to ensure systemically marginalized young people achieve outcomes that lead to fulfilling lives and flourishing communities. Founded in 2010, we work hand in hand with education leaders and organizations to accelerate their impact, inform and influence policy and program design, and share what we learn along the way. For more, visit bellwether.org.

ACKNOWLEDGMENTS

We would like to thank the many experts who gave their time and shared their knowledge with us to inform our work, including those at the State Higher Education Executive Officers Association and the Western Interstate Commission for Higher Education and its Cooperative for Educational Technologies. Thank you also to Arnold Ventures for its financial support of this project.

We would also like to thank our Bellwether colleagues Lynne Graziano for her input and Alexis Richardson for her support. Thank you to Amy Ribock, Kate Neifeld, Andy Jacob, Zoe Campbell, Julie Nguyen, Mandy Berman, and Amber Walker for shepherding and disseminating this work, and to Super Copy Editors.

The contributions of these individuals and entities significantly enhanced our work; however, any errors in fact or analysis remain the responsibility of the authors.



© 2024 Bellwether

- Ⓒ This report carries a Creative Commons license, which permits noncommercial reuse of content when proper attribution is provided. This means you are free to copy, display, and distribute this work, or include content from this report in derivative works, under the following conditions:
- ① **Attribution.** You must clearly attribute the work to Bellwether and provide a link back to the publication at www.bellwether.org.
- Ⓓ **Noncommercial.** You may not use this work for commercial purposes without explicit prior permission from Bellwether.
- Ⓒ **Share Alike.** If you alter, transform, or build upon this work, you may distribute the resulting work only under a license identical to this one.

For the full legal code of this Creative Commons license, please visit www.creativecommons.org. If you have any questions about citing or reusing Bellwether content, please contact us.