

Senator Warren – Question for the Congressional Hearing Record

Robert L. King, Nominee for Assistant Secretary for Postsecondary Education

1. If confirmed, you will be the highest-ranking Senate-confirmed appointee at the U.S. Department of Education (ED or “the Department”) exclusively focused on higher education. In your opinion, what is the most pressing issue facing higher education?
2. The Department serves a critical role in the program integrity triad – state, accreditors, and the education department—each with their unique role to play in holding colleges accountable to how they serve students. Can you describe what you believe the Department’s specific role (not states or accreditors) should be in the program integrity structure to hold schools accountable to delivering an affordable, quality education?
3. Can you describe what role you believe states should specifically play in the program integrity structure to hold schools accountable to delivering an affordable, quality education?
4. Can you describe what role you believe accreditation agencies should specifically play in the program integrity structure to hold schools accountable to delivering an affordable, quality education?
5. Please share 3-5 of your *specific* ideas and plans for increasing higher education accountability at the Department.
6. What is the Department’s responsibility when it comes to protecting taxpayer dollars? In your answer, please describe your view on the Department’s responsibilities when it comes dollars distributed under Title IV of the Higher Education Act.
7. What specific indicators would signal to you that a college or university is not providing a quality education to its students and veterans?
8. Do you believe that Department should have a role in deciding which colleges can continue to receive Title IV aid based on how they are serving their students and veterans?
9. Should the Department ever restrict or cut off access to Title IV aid based on how colleges and universities are serving their students and veterans?
10. Do you believe the Department has a responsibility to ensure that Title IV institutions of higher education provide a good education for students that will not leave them drowning in debt for useless degrees?

11. What do you think the Department (not Congress) can do to help make college more affordable?
12. Please describe the role you believe that state disinvestment in higher education plays in college affordability.
13. Please describe any personal or professional experience you have with federal TRIO programs.
14. Please describe any personal or professional experience you have with the GEAR Up program.
15. Please describe any personal or professional experience you have with the CCAMPIS program.
16. What do you think the Department (not Congress) could do to help people who are currently struggling with student loan debt?
17. What do you think the Department (not Congress) could do to hold college accreditors more accountable for ensuring quality in higher education?
18. What do you think the Department can do to better protect student veterans?
19. What do you think the Department can do to protect students from colleges with abysmal graduation rates, low loan repayment rates, and incredibly high default rates?
20. Secretary DeVos has stated that students should have “multiple pathways to pursue postsecondary education.” Should pathways that leave students deep in debt for credentials and degrees that do not lead to gainful work be included in “multiple pathways”?
21. How should the Department ensure that career education programs lead to jobs that can allow people to manage their student debt burdens?
22. What penalties do you believe are appropriate for an institution of higher education that is deliberately misleading students with inaccurate statistics, inaccurate job placement rates, or false marketing?
23. For-profit colleges are businesses that are largely driven by the personal financial interests of investors or private owners rather than by accountability to state taxpayers or volunteer boards of trustees. For-profit colleges:
 - often spend more money on marketing and recruitment than they spend on instruction;

- enroll less than 10% of students, but are responsible for nearly a third of all student loan defaults;
- are regularly under investigation by state and federal authorities for defrauding students;
- often pay their executives millions of dollars a year while counting on federal taxpayer dollars for nearly all their revenue;
- often force their students to sign away their legal rights through forced arbitration agreements;
- produce particularly high default rates among all students when compared to other sectors, but especially students of color; and,
- according to a new Century Foundation report¹, are responsible for 98.6% of all borrower defense fraud claims from students who allege their school defrauded them.

Assuming that all institutions of higher education should be held to the highest standards of quality regardless of sector, given the fundamentally different incentive structure, data on the dramatically different student outcomes, and the well-publicized fraud concentrated in the for-profit sector of higher education, do you think the federal government should disregard the real differences in sectors mentioned above?

24. Should for-profit colleges be treated the same as nonprofit and public colleges and universities by federal regulators, or should the federal government act with respect to the differences mentioned above?
25. Are there risks in treating all sectors of higher education the same? If so, how would you propose to mitigate those risks?
26. What do you believe the Department should do to hold for-profit colleges more accountable for delivering a good, affordable education for their students, which will help students get jobs in their field?
27. Do you believe that aggressive marketing and false advertising have been problems in the for-profit college sector?
28. *MarketWatch* recently published a report about a National Bureau of Economic Research study,² which concluded that “Students who attend four-year, for-profit colleges take out one more federal loan on average than their public school counterparts and borrow at least \$3,300 more...Students who attend four-year, for-profit colleges take out one more federal loan on average than their public school counterparts and borrow at least \$3,300 more. Despite that extra money, these students are 11% less likely to be employed than

¹ <https://tcf.org/content/report/college-complaints-unmasked/>

² <https://www.nber.org/papers/w25042>

students in public schools. They also and earn less. What's more, among four-year students, attending a for-profit college increases the likelihood that a student loan borrower will default by about 11 percentage points, the study found."³ What are your reactions to the information presented in this report? Would this information inform your policy decisions?

29. Recently, a senior higher education official at the Department reportedly said, "We do not think it's the role of the federal government to make this decision [of whether a specific college is worth attending] on behalf of students."⁴ Do you agree with this statement?
30. Should the Department send federal taxpayer dollars to any specific college that a student wants to attend?
31. If the Department has data about whether a specific college is worth the investment, should the Department share those data with students and families? If so, how and in what format?
32. What specific pieces of information do you think students and families need to make informed choices about which colleges and programs to attend? Please provide examples.
33. If you were helping a high school student select a college or program, what specific information would you advise that student consider before making a choice?
34. If you were helping a working adult—a single mother with small children, for example—select a college or program, what specific information would you advise that working adult consider before making a choice?
35. If you were helping a recent veteran select a college or program, what specific information would you advise that veteran consider before making a choice?
36. What could the Department do to help students, working adults, and veterans make more informed choices?
37. What improvements do you believe should be made to the College Scorecard?
38. Do you believe that the federal government can provide all the information necessary for students and families to make informed choices? What helpful information can't it provide?

³ <https://www.marketwatch.com/story/students-do-better-at-public-colleges-than-for-profit-colleges-just-dont-blame-the-students-2018-09-18>

⁴ <https://www.educationdive.com/news/ed-department-officials-say-their-focus-is-on-better-college-data-less-reg/533153/>

39. How should the federal government ensure that the information it provides about colleges and universities ends up in the hands of students and families? Please provide some ideas.
40. Should colleges and universities be required to provide prospective students and families with certain information? If so, what?
41. Is providing information alone sufficient accountability for colleges and universities? Should steps be taken to hold schools accountable to their outcomes besides simply providing information?
42. Please describe any personal or professional experience you have with higher education accreditation.
43. What are some challenges facing college accreditation?
44. What are some weaknesses in the American system of college accreditation?
45. What are some strengths in the American system of college accreditation?
46. Do you believe college accreditation has been successful at ensuring high-quality higher education in the past decade?
47. The *Wall Street Journal* once called college accreditors, the “watchdogs” that “rarely bite”. Do you agree with the assessment in the *Wall Street Journal* that college accreditors “hardly ever kick out the worst-performing colleges and lack uniform standards for assessing graduation rates and loan defaults”?⁵
48. How do you think college accreditation should be improved?
49. Recently, a senior higher education official at the Department reportedly said accreditors should “tolerate some risk”.⁶ Do you agree with this statement? If so, please elaborate.
50. This same official reportedly said, “We need to have the back of our accreditors.” Do you agree with this statement? If so, please elaborate.
51. How do you think the Department should ensure quality in online higher education programs?
52. What are the characteristics of a high-quality online higher education program?

⁵ <https://www.wsj.com/articles/the-watchdogs-of-college-education-rarely-bite-1434594602>

⁶ <https://www.insidehighered.com/news/2018/07/30/trump-administration-official-describes-plan-rethink-higher-education-through>

53. What are the characteristics of a low-quality online higher education program?
54. What are the risks of online higher education? Do you believe there are more opportunities for abuse in online higher education? If so, how should that impact policy?
55. Just last week, Secretary DeVos announced her decision to extend the federal recognition of the Accrediting Council for Independent Colleges and Schools (ACICS) for 12 months to allow them to come into compliance with two federal standards the agency failed – “competency of representatives” and “conflict of interest.” Regarding the “competency of representatives” requirement, the Secretary noted that ACICS could not yet demonstrate that its new training procedures for volunteers, the new Ethics Review Board, and its new data verification regime were effective. As Assistant Secretary of Postsecondary Education what specific institutional and student outcomes would you evaluate to determine the effectiveness of how ACICS ensures the “competency of representatives” requirement?
56. Secretary DeVos also required ACICS to submit to additional monitoring regarding four criteria: administrative and financial resources; student achievement accreditation standards; recruiting and admissions practices, academic calendars, catalogs, publications, grading and advertising; and monitoring. As Assistant Secretary of Postsecondary Education what specific institutional and student outcomes will you evaluate to determine the agency is appropriately meeting these four criteria?
57. How should the Department consider the student outcomes data of institutions accredited by a particular accreditor when evaluating that accrediting agency?
58. Does the public deserve to know the student outcomes data associated with each particular accrediting agency?
59. Please discuss your views on the role of Congress in conducting oversight of the Department.
60. Please share what you hope to accomplish in the student listening tour you committed to in the Democratic staff interview.

If you have any questions, then please contact Josh Delaney in my office at (202) 224 – 4543.