



**Capitol Hill Day  
June 12, 2014**

## **Sensible Regulations that Protect Students and Taxpayers**

A number of bills in the current Congress have sought to undermine effective government regulations that protect consumers from fraud, help keep workers safe on the job, and safeguard our environment. With regard to higher education, the AAUP supports sensible regulations that help ensure educational quality, effective use of public funding, and campus safety.

### **Academic Program Integrity**

The AAUP recently joined a coalition of 53 student, educator, veteran, consumer, and civil rights organizations calling on Education Secretary Duncan to implement strong “gainful employment” regulations to protect students and taxpayers against “waste, fraud, and abuse ... [in] ... career education programs that consistently leave students with debts they cannot repay.” In particular, the letter calls for financial relief for students in ineffective programs that lose eligibility for federal aid; enrollment caps on poorly performing programs until they demonstrate improvement; closing loopholes and raising standards so that unscrupulous institutions cannot “game” reporting or evade regulations; and protecting low-cost programs (particularly in community colleges) where most graduates don’t borrow to finance their education.

On May 15, Senators Harkin (IA), Durbin (IL), Murphy (CT), Schatz (HI), Warren (MA), and Carper (DE) sent a letter to Secretary Duncan supporting a similar strengthening of the proposed regulations. **The AAUP calls on all members of Congress to support strong gainful employment regulations to help ensure that students receive a quality education and public funds are used wisely.**

### **Oversight of For-Profit Higher Education**

**The AAUP opposes the Supporting Academic Freedom through Regulatory Relief Act (HR 2637, Rep. Foxx, NC),** which would roll back many of the protections that safeguard students against predatory practices at for-profit institutions. The bill would remove the federal definition of “gainful employment” and re-introduce regulatory loopholes—eliminated in 2011—that would allow incentive compensation for third-party services to recruit or enroll prospective students. The AAUP opposes any legislation that erodes protections for those most at-risk.

**The AAUP supports the Proprietary Education Oversight Coordination Improvement Act, S 2204 (Sen. Durbin, IL),** which would establish an interagency oversight committee charged with coordination of federal oversight to increase accountability, promote the quality of academic programs at proprietary institutions, and protect students and taxpayers from unfair or fraudulent practices.

### **Sexual Assault on Campus**

The AAUP supports the call by Senators McCaskill (MO), Gillibrand (NY), and Blumenthal (CT) for greater accountability on the part of colleges and universities in protecting students against sexual assault. We encourage the drafting of legislation to clarify provisions of the Clery Act and Title IX, potentially including heightened penalties for institutions found in violation. AAUP recommendations are detailed in the 2012 statement *Campus Sexual Assault: Suggested Policies and Procedures*, including continued use of the stronger “clear and convincing evidence” standard, rather than the lower “preponderance of evidence” standard, to safeguard due process in both student and faculty discipline cases.