



STATEMENT FOR THE RECORD

**NATIONAL ASSOCIATION OF STATE APPROVING
AGENCIES**

On

Pending Education Benefits Legislation

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SENATE COMMITTEE ON VETERANS AFFAIRS

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STATEMENT OF DR. JOSEPH WESCOTT
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FOR THE
SENATE COMMITTEE ON VETERANS' AFFAIRS
CONCERNING
PENDING LEGISLATION
June 29, 2016

CHAIRMAN ISAKSON, RANKING MEMBER BLUMENTHAL, and Members of the Committee, the National Association of State Approving Agencies (NASAA) is pleased to provide its views on certain education benefits legislation under consideration by the Committee today, June 29, 2016, particularly S. 3021.

NASAA does not receive any grants or contracts directly from the federal government, though its member organizations are state agencies operating in whole or in part under federal contracts funded by Congress and administered by the Department of Veterans Affairs (VA).

On behalf of fifty-five SAAs in 49 states and the territory of Puerto Rico, NASAA thanks the Senate Committee on Veterans Affairs for its strong commitment to a better future for all service members, veterans and their families through its continued support of the GI Bill® educational program.

S. 3021, a bill to authorize the use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning

State approving agencies take seriously our role as “the gatekeepers of quality” and the “boots on the ground” defending the integrity of the GI Bill and making sure that only quality programs are approved by applying federal and state law and regulation. An additional and equally important role is the continued oversight of these programs after their initial approval. We do so in conjunction with other stakeholders in veteran and higher education, including state licensing agencies, state higher education departments, the Department of Veterans Affairs, the Department of Education and national and regional accrediting agencies.

Congress, in establishing the laws and regulations governing the manner and method by which education could be approved for veterans, wisely provided that Non College Degree training could be delivered by way of independent study (on-line education) only when affiliated with or provided by an accredited institution of higher learning (IHL). Certainly, in view of the uncertain quality of distance learning in the early years of its development, it made sense to make sure that regionally accredited IHLs were the only places that online NCD training would

be approved. This also recognized the fact that many unaccredited NCD programs are offered in a clock-hour as opposed to a credit hour format and as such, it is virtually impossible to ensure that veterans met approved program attendance standards outside of the classroom.

S. 3021 seeks to expand Post 911 GI Bill to provide for the approval of independent study programs at certain educational institutions that are not institutions of higher learning, namely stand-alone NCD granting institutions. Though this bill does include language to restrict the extent of this expansion somewhat, some of that language could be problematical. As this is a radical departure from the inherent safeguard provided in the code of disallowing the approval of “any independent study program except an accredited independent study program (including open circuit television) leading (A) to a standard college degree, or (B) to a certificate that reflects educational attainment offered by an institution of higher learning”, NASAA cannot support this legislation. However, we would not oppose it as long as the following concerns are addressed.

First, as regards proposed subsection (C)(ii): The definition of a “postsecondary vocational institution” as defined in the Higher Education Act, does seem to contain adequate parameters to protect the integrity of the GI Bill. The institution must be limited to high school graduates or equivalent; authorized by the State to offer the program; is public or nonprofit; and is accredited by a nationally recognized accrediting agency or granted preaccreditation status by an agency authorized to grant such status. This definition would seem to bar predatory institutions providing training of questionable quality which might or might not lead to a job or career from seeking approval.

However, NASAA is concerned that proposed subsection (C)(i) is problematical. If you solely look at the definition that is cited, the Perkins Act limits the institutions covered to public and nonprofit institutions, but it does not require that the institutions be accredited, nor does it require that the institution be authorized by the State. So, upon reviewing the definition that the proposed language cites, the schools might not be required to have a license to operate. Also, although the lead-in provision in 3680A(4) requires the independent study program to be accredited, there is nothing that requires the accrediting agency for career and technical education schools to be nationally or regionally recognized, as, unlike the definition of a “postsecondary vocational institution,” the definition of an “area career and technical education school” does not mention accreditation. Therefore, as the proposed language currently stands, an area career and technical education school could be accredited by an unrecognized accrediting entity, and still be able to qualify for the GI Bill. Finally, the Perkins Act definition of “career and technical education” includes entrepreneurship, which, as you’ll recall, is currently restricted under the GI Bill when the program is a non-degree program.

We would also seek to point out to the Committee that though we would not expect that a large number of proprietary schools would rush to become non-profits accredited by unrecognized accrediting entities, some predatory institutions might seek to do so in order to fit into the otherwise broad definition of an “area career and technical education school.” Also, some institutions might seek to provide programs of questionable quality under contract with institutions granted access under this proposed legislation. For these and other reasons cited

above, NASAA respectfully requests that the language of this bill be changed so that only NCD institutions that are either public or not-for-profit institutions AND are accredited by a nationally recognized accredited agency be allowed to seek approval.

Finally, we would respectfully remind the Committee that even with the passage of this legislation, it is important to note that programs would still have to meet appropriate statutory approval criteria in order for an SAA to grant approval. We are concerned that some CTE programs do not maintain appropriate standards of academic progress and that in other cases some CTE programs could not be approved as they are self-paced without any fixed limitation as to how long a student takes to complete the program. Given our very generous housing allowance under the Post 9/11 GI Bill, such policies would provide a disincentive for students to complete such a program in a reasonable time.

Today, SAAs throughout our nation, composed of approximately 175 professional and support personnel, are supervising over 10,000 active facilities with 100,000 programs. We pledge to you that we will not fail in our critical mission and in our commitment to safeguard the public trust, to protect the GI Bill and to defend the future of those who have so nobly defended us.” Mr. Chairman, NASAA thanks the Committee for the opportunity to share our concerns and suggestions and we commit to working together with you and your staff to enhance the pending legislation.

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Joseph W. Wescott II (Joe) was appointed Legislative Director of the National Association of State Approving Agencies in August 2015. Previous to that, he served four years as NASAA President and Vice President, while simultaneously working on the NASAA Legislative Committee. Wescott was appointed Executive Director of the North Carolina State Approving Agency (NCSAA) in Raleigh North Carolina on September 14, 2009 by the UNC System Board of Governors, at the recommendation of then system president Erskine Bowles. The fourth Executive Director since the agency was established in 1947; Dr. Wescott had previously served three years as an agency program specialist. As Executive Director, he oversees over 280 institutions of higher education throughout North Carolina ensuring quality educational programming for veterans and their eligible dependents.

Prior to his appointment, Wescott served in various leadership roles in higher education including director of the office of Planning, Policy and Evaluation at Brunswick Community College, federal relations analyst/government relations representative for Duke University and an adjunct instructor at several colleges and professional organizations. Dr. Wescott is a veteran, having served on active duty as a combat officer in the US Army. Earlier, he attended Wake Forest University on a four year Army ROTC scholarship, graduating with honors. He holds advanced degrees from Wake Forest University and North Carolina State University, including the doctorate in Higher Education Administration. In addition to other duties, Wescott serves as an Adjunct Professor in the Department of Leadership, Policy, Adult and Higher Education at NC State University. He serves on numerous national boards and state committees, including the NASAA Executive Board, NC Proprietary Schools Advisory Board, and the Governor's Working Group on Veterans, Service Members and their Families.

Dr. Wescott resides in Raleigh, NC and has written several articles and books on history and higher education topics including the history of the North Carolina Community College system, which was published last year.