March 16, 2023

The Honorable Miguel Cardona
Secretary
United States Department of Education
400 Maryland Ave, SW
Washington, DC 20202

The Honorable James Kvaal
Under Secretary
United States Department of Education
400 Maryland Ave, SW
Washington, DC 20202

RE: Docket ID #: ED-2023-OPE-0030

Dear Secretary Cardona and Under Secretary Kvaal:

You admirably champion the goal of an American higher education system built around inclusivity, not selectivity, and affordability, not wealth. Academic Partnerships proudly advances this same goal by supporting inclusive, under-resourced institutions in thirty states in their efforts to provide low-tuition, high-value programs to students online.

Thank you for the opportunity to provide comments regarding the bundled services guidance set forth in the Department's Dear Colleague Letter GEN-11-05 of March 17, 2011. Each of our university partners has chosen to partner with us under a fee-for-persistence model that relies upon the guidance. A fee-for-persistence model aligns compensation for the bundle of services we provide with a student's persistence and academic success. Given our experience and vantage point, we are pleased to provide insight into how the guidance remains critical for these under-resourced institutions to serve their students.

In reviewing the Department's bundled services guidance, we respectfully urge you to proceed with caution to avoid any unintended consequences, such as harming student access to low-tuition, high-value programs offered by inclusive, under-resourced institutions that rely upon the guidance today.

The intent behind the bundled services guidance was to provide under-resourced, not-for-profit universities an effective tool to successfully reach and serve students online. In doing so, the guidance allows these universities to compete with well-resourced for-profit, mega-online, and elite institutions. Thanks to the Department's foresight and effective action, the bundled services guidance continues to serve its intended purpose. Any decision to eliminate this tool or otherwise render it unworkable would lead to swift and material consequences to the detriment of already disadvantaged institutions and the students they serve.

Against this backdrop, we respectfully recommend that the Department's review be guided by the following five principles:

1. **Align incentives around student success, through graduation and post-graduation.**
2. **Encourage the wide availability of low-tuition, high-value programs.**
3. **Support inclusive, under-resourced institutions.**
4. **Enhance transparency and ensure regulatory compliance.**
5. **Empower prospective students.**

These principles guide Academic Partnerships' work in support of our university partners, and present a model of how inclusive, under-resourced institutions across America can harness the promise of online programs to serve students.

## 1. Align Incentives Around Student Success, through Graduation and Post-Graduation

### (a) Student Success Through Graduation

**To align incentives around student success through graduation, the Department should:**

- **require that payments to third parties providing services under the bundled services guidance be made on a fee-for-persistence basis.**
- **prohibit payments under the bundled services guidance to third parties who:**
    - **set admissions standards or criteria.**
    - **assess applications for admission.**
    - **make admissions decisions.**

Financial incentives for entities involved in student recruitment should align around student success. Such alignment encourages student-centric practices and support for students through their academic journey.

Each of Academic Partnerships' university partners has chosen to partner on a fee-for-persistence basis rooted in student success and reliant on the bundled services guidance. We provide an array of services,[1] including recruitment-related services, and our university partners compensate us for all our services together and on a deferred basis.

At the outset of a new university partnership, the university partner does not compensate Academic Partnerships. Students pay the university on a per-course basis as they progress through their degree programs. We receive payment from the university—calculated based on a percentage of associated tuition on a per-student, per-course basis—as students progress through their degree programs. If and when a student stops progressing for any reason, we stop receiving payment from the university associated with that student.

The fee-for-persistence model incentivizes us to only recruit students who are likely to succeed in their programs, and as such, perfectly aligns incentives where they should be. This alignment of incentives in the fee-for-persistence model impacts recruiting and guides all services we provide. From marketing to retention to technology—the successful progression of students through a program is central to our mindset and decision-making. And we are held accountable financially if students are not successful.

The fee-for-persistence model stands in stark contrast to what the United States Court of Appeals for the District of Columbia Circuit identified in 2012 as the chief concern that led Congress to include the incentive compensation ban in the Higher Education Act:

> "Congress adopted this provision in 1992 based on its concern that schools were creating incentives for recruiters to enroll students who could not graduate or could not find employment after graduating."[2]

The recruitment incentive created by schools in hiring Academic Partnerships on a fee-for-persistence basis is both plain and simple: recruit only students who will be successful.

Of course, aspects of a prospective student's likelihood to succeed are assessed during our university partners' admissions processes. To be clear, Academic Partnerships does not (1) set admissions standards or criteria, (2) consider applications for admission, or (3) make admissions decisions. These functions—along with the function of enrolling students—are within the sole province of our university partners. They are the gatekeepers and decisionmakers, controlling

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[1] In our partnerships, there is a clear delineation of roles between Academic Partnerships and the university, which corresponds to the core competencies of each. Academic Partnerships provides: knowledge and support in converting programs to a high-quality online learning format; support for the university's efforts to streamline systems, technology, and processes to optimize the student experience; market research and strategy; employer-based relationships to align workforce relevant offerings; support for university faculty, including access to expertise in online pedagogy, instructional design, and professional development; student retention services; multi-channel marketing; and recruitment. Throughout the partnership, the university is responsible for and retains complete and exclusive control over: all academic matters, including the hiring of faculty and teaching assistants, evaluation of faculty, development of curriculum and course content, grading and assessment of students, and credentialing; all content-related intellectual property; student advisement; all admissions standards; all admissions decisions and the administration of the admissions process, including the number of applicants admitted; the rate of tuition and fees charged to students; the number of students enrolled in any given program or course; all administration, advisement, and disbursement of federal student financial aid and the billing and collection of tuition and fees; and all matters relating to accreditation.

[2] *Ass'n of Private Sector Colls. & Univs. v. Duncan*, 681 F.3d 427, 436 (D.C. Cir. 2012).

which and how many students are in each of their programs. Under the fee-for-persistence model, both the university and Academic Partnerships are compensated on a per-course basis, so student success is paramount for both. This model and delineation of roles is an important safeguard to ensure that student success remains central to all considerations and functions leading up to a student's ultimate enrollment.

By mandating a fee-for-persistence model under a revised bundled services regime, the Department would improve the guidance to be explicitly consistent with the congressional intent that gave rise to the incentive compensation ban: ensuring that recruitment incentives are aligned with student success.

### (b) Student Success Post Graduation – Measuring Value

**To align incentives around student success post-graduation, the Department should:**

- **continue to approach issues of return on investment and outcomes in a consistent, even-handed way across all higher education program modalities.**
- **move forward with formulation and public release of a list of low-financial-value programs.**
- **continue its work to maintain and improve the College Scorecard.**
- **support the work of organizations engaged in measuring and promoting value.**

Student success does not end at graduation. A program fails the value proposition to taxpayers and students alike if it leaves students with high amounts of debt and gives little regard to workforce needs, prospective career advancement opportunities, and earnings capacity.

The weighted average total tuition pricing of Academic-Partnerships-supported programs compares favorably to the potential average salary increases associated with degrees from program types in which our university partners have the most enrollments. The figures that follow represent: (1) the weighted average total tuition—from program start through completion—across all such programs that Academic Partnerships supports[3]; and (2) the average annual salary increase associated with earning such a degree, according to PayScale:[4]

- Registered Nurse to Bachelor of Science in Nursing
  - weighted average total tuition: $8,449
  - PayScale average annual salary increase: $17,000[5]

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3 Figures as of January 31, 2023.

4 PayScale rounds these averages to the nearest thousand. PayScale administers the largest real-time salary survey in the world with 350,000 profiles added monthly. The database of more than 65 million salary profiles is updated daily to reflect the most detailed, up-to-date compensation information available. https://www.payscale.com/research/US/Degree.

5 Annual salary increase calculated comparing PayScale data on March 13, 2023 for average annual salary for holder of Bachelor of Science in Nursing degree compared to annual average salary of holder of Associate Degree in Nursing.

- Master of Business Administration
  - weighted average total tuition: $14,332
  - PayScale average annual salary increase: $23,000[6]
- Master of Education
  - weighted average total tuition: $11,652
  - PayScale average annual salary increase: $4,000[7]

Recently, Academic Partnerships and Ipsos, an independent third-party research company, conducted a survey[8] of graduates of programs supported by Academic Partnerships. The results showed a positive and swift return on investment for respondents. The payback period, calculated by dividing average reported tuition cost by average reported salary gain since graduating, was 1.26 years.[9] Graduates reported an average salary gain of 19% within one year of completing the degree. That reported gain increased to 29% three years after graduation. The average loan amount graduates reported borrowing to finance these programs was approximately $6,300.

Academic Partnerships supports the steps the Department has taken to strengthen the College Scorecard so that, as Secretary Cardona recently said, "students can explore post-graduate earnings for every school and see which ones leave students better off for attending."[10]
We also applaud the Department's ongoing efforts to formulate and publish a list of low-financial-value programs.[11] By drawing attention to the programs that are most likely to leave students with unaffordable loans and provide the lowest financial returns for students and taxpayers, the list will be an important means to increase transparency and public accountability.

In addition, Academic Partnerships is pleased that the Carnegie Social and Economic Mobility Classification is to be launched next year.[12] This new Classification will examine the extent to which institutions of higher education address their public purpose by enabling social and

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[6] Annual salary increase calculated comparing PayScale data on March 13, 2023 for average annual salary for holder of Master of Business Administration degree compared to annual average salary of holder of Bachelor of Business Administration degree.

[7] Annual salary increase calculated comparing PayScale data on March 13, 2023 for average annual salary for holder of Master of Education degree compared to annual average salary of holder of Bachelor of Education degree.

[8] Survey conducted from February 15, 2023 through March 3, 2023. The survey was sent to 52,756 graduates across 26 of Academic Partnerships' university partners, and yielded 981 completed results. 85% of respondents graduated within the last 4 years (2019-2022).

[9] Respondents reported an average tuition cost of $16,654. Respondents reported an average salary gain of $13,240. Payback calculated by dividing tuition cost by salary gain ($16,654/$13,240 = 1.26 years to payback).

[10] Remarks on College Rankings and Data by U.S. Secretary of Education Miguel Cardona at the Conference on Best Practices for Law School Data, Mar. 2, 2023, https://www.ed.gov/news/speeches/remarks-college-rankings-and-data-us-secretary-education-miguel-cardona-conference-best-practices-law-school-data.

[11] Federal Register, Notice by the United States Department of Education: *Request for Information Regarding Public Transparency for Low-Financial-Value Postsecondary Programs*, Jan. 11, 2023, https://www.federalregister.gov/documents/2023/01/11/2022-28606/request-for-information-regarding-public-transparency-for-low-financial-value-postsecondary-programs.

[12] The Carnegie Classification of Institutions of Higher Education, https://carnegieclassifications.acenet.edu/.

economic mobility. The Social and Economic Mobility Classification will reflect an institution's success in achieving those goals while effectively serving a diverse, inclusive student populace.[13] We share in Secretary Cardona's "hope [that the new Classification] will be the beginning of a new competition among colleges—one that rewards colleges doing the most for upward mobility."[14]

We at Academic Partnerships view the design and implementation of these and other rigorous value metrics as an opportunity to help students make well-informed educational choices. In some cases, assessing value doesn't need to be overly complex: the value inherent in a Registered Nurse to Bachelor of Science in Nursing program at a total cost of less than $10,000[15] to the graduate and society is readily apparent. The Department should call attention to such programs and make decisions that protect student access to them.

## 2. Encourage the Wide Availability of Low-Tuition, High-Value Programs

**To encourage the wide availability of low-tuition, high-value programs, the Department should:**

- **heed the knowledge and experience of leaders of institutions that offer such programs, who have clearly expressed by their words and actions that the bundled services guidance is essential to their ability to serve students.**
- **maintain the bundled services guidance.**
- **make certain that any potential changes to the guidance do not harm student access to such programs.**

For the benefit of students, families, communities, taxpayers, and the nation, it is essential that low-tuition, high-value programs be widely available to students.

Across all the degree programs supported by Academic Partnerships around the country, the weighted average total tuition of these programs, from program start through completion, is $15,618.[16] The weighted average total tuition figures[17] for the three program types in which our university partners have the most enrollments are:

- Registered Nurse to Bachelor of Science in Nursing: $8,449.
- Master of Education: $11,652.
- Master of Business Administration: $14,332.

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13 Carnegie Foundation for the Advancement of Teaching, *The Carnegie Foundation and the American Council on Education Announce Partnership on the Carnegie Classifications for Institutions of Higher Education*, Feb. 9, 2022, https://www.carnegiefoundation.org/newsroom/news-releases/carnegie-foundation-and-american-council-on-education-announce-partnership-on-the-carnegie-classifications/.

14 Katherine Mangan, *New Carnegie Classification Will Reflect Social and Economic Mobility*, THE CHRONICLE OF HIGHER EDUCATION, Feb. 9, 2022.

15 The weighted average total tuition across all of the Registered Nurse to Bachelor of Science in Nursing programs that Academic Partnerships support is $8,449, as of January 31, 2023.

16 Figure as of as of January 31, 2023.

17 Figures as of as of January 31, 2023.

In light of these figures, assertions that the bundled services guidance inexorably leads to expensive tuition pricing and excessive student debt are unfounded. Certain institutions charge large sums of money for their programs, both in-person and online, and would continue to do so even if the bundled services guidance were rescinded.

We understand the Department's concern that spending on marketing and recruitment might generate upward pressure on tuition leading to high tuition prices and excessive student debt. For the programs that Academic Partnerships supports, as the figures above demonstrate, such an effect does not exist.[18]

High tuition and excessive student debt are critical public policy issues, and we applaud the Department for prioritizing them. These issues apply to and should be addressed uniformly across all modalities of higher education programs because they are certainly not limited to the realm of online programs or the even narrower realm of programs supported by online program managers. The total federal student debt held, as of the fourth quarter of 2022, was $1.76 trillion,[19] simply an unacceptable number. We urge the Department not to hinder low-tuition, high-value programs, such as those offered by Academic Partnerships' university partners, because one of the most effective ways to curtail the current student debt crisis and stem excessive tuition inflation is to promote low-tuition programs with a discernable return on investment.

## 3. Support Inclusive, Under-Resourced Institutions

**To support inclusive, under-resourced institutions, the Department should:**

- **provide them more tools, not fewer, to meet the challenges of today and tomorrow.**
- **heed the knowledge and experience of these institutional leaders who have clearly expressed by their words and actions that the bundled services guidance is essential to the well-being of their institutions and their ability to serve students with low-tuition, high-value programs.**
- **maintain the bundled services guidance.**
- **make certain that any potential changes to the guidance do not harm such institutions.**
- **not further disadvantage these already-disadvantaged institutions, as they seek to serve students alongside for-profit, mega-online, and elite institutions.**

18 Marketing and recruitment efforts in support of our university partners' programs allow us to create awareness and reach potential students who stand to gain by these low-tuition, high-value, workforce-relevant educational opportunities. With enrollment dropping and many questioning the value proposition of higher education, it's incumbent on all of us to encourage people to attend low-tuition, high-value institutions that will help them stay relevant in the workforce and help them climb the economic ladder.

19 Board of Governors of the Federal Reserve System, Consumer Credit Outstanding, https://www.federalreserve.gov/releases/g19/HIST/cc_hist_memo_levels.html.

The Department has appropriately highlighted institutions that are inclusive, not selective, and under-resourced, not privileged. These institutions need the optionality and flexibility provided to them by the bundled services guidance to manage the severe enrollment and financial challenges they face.

Of the universities that Academic Partnerships supports, 100% are not-for-profit, over 80% are regional public universities, and over 25% are Minority-Serving Institutions. These cornerstone institutions pride themselves on providing economic mobility to their students, meeting the most urgent workforce needs of their communities, and promoting economic and community development in their regions.[20] A December 2022 report by The Alliance for Research on Regional Colleges summarizes the transformative power of regional public universities ("RPUs"):

> "RPUs are leaders in promoting upward mobility, educating an estimated 47% of bachelor's-degree-seeking students attending four-year public institutions. The research described in this report finds that RPUs educate 58% of Black or African Americans, 47% of American Indian or Alaska Native students, 35% of Asian American students, 39% of Native Hawaiian or Pacific Islander students, 44% of Hispanic or Latino students, and 44% of multi-racial students attending four-year public institutions. RPUs additionally play an important role in educating first-generation college students and those receiving Pell grants; on average, 37% of RPU students are Pell grant recipients. RPUs are also vital anchor institutions that contribute to their regions."[21]

The positive impact of regional public universities is even more impressive when considered in the context of the challenges they face. On February 13, 2023, The Chronicle of Higher Education published an article entitled "Flagships Prosper, While Regional Suffer."[22] It states:

> "Left to fend for themselves, many regional universities are losing enrollment and subsequently being forced to cut employees and programs, making them less able to recruit and retain students, making them more likely to lose more enrollment. . . . A Chronicle analysis of federal data showed, for example, that in Michigan, a state being hit hard by demographic shifts and with no central higher-ed authority, the flagship University of Michigan at Ann Arbor saw undergraduate enrollment rise 16 percent between 2010 and 2020. Over the same period, it fell at 11 of the

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[20] Robert Maxim & Mark Muro, *Supporting Distressed Communities by Strengthening Regional Public Universities*, THE BROOKINGS INSTITUTION, pp. 6-7 (July 2021), https://www.brookings.edu/wpcontent/uploads/2021/07/20210729_BrookingsMetro_SupportingDistressedCommunitiesRPUs_Report_Maxim_Muro.pdf.

[21] Cecilia M. Orphan, Mac Weatherbee, & Becket C. Duncan, *Identifying, Defining, and Supporting Regional Public Universities and Colleges Report*, THE ALLIANCE FOR RESEARCH ON REGIONAL COLLEGES, p. 5, Dec. 2022.

[22] Lee Gardner, *Flagships Prosper, While Regional Suffer*, THE CHRONICLE OF HIGHER EDUCATION (Feb. 13, 2023).

> state's 12 other four-year public campuses. Eastern Michigan University, in Ypsilanti, between Ann Arbor and Detroit, lost 31 percent of its enrollment."[23]

The harsh reality of these trends is that the institutions losing the most enrollments are the least equipped to cope with the losses. Regional public universities are far more dependent upon tuition for their financial sustainability than public land grants and elite privates who benefit from wealthy donors, large endowments,[24] income from intellectual property, the embedded marketing of widely broadcasted athletics, and, in case of public land grants, greater state appropriations.[25]

Amidst these challenges, expanding to online offerings is a significant opportunity for regional public universities. Student demand for online programs continues to grow rapidly. Since 2011, when the bundled services guidance was issued, enrollments in exclusively online programs have grown 175%.[26] As of fall 2021, exclusively online enrollments constitute 30% of total enrollments in higher education programs.[27] Whereas online programs may have once been considered optional, they are now firmly established in higher education and widely understood to be crucial to students. It is in this context that regional public universities recognize the necessity to successfully develop and offer online programs to remain competitive and viable for the future. It is critical that policymakers recognize the same.

The landscape of online higher education programs is dynamic, diverse, and competitive. Navigating the online ecosystem, with its lack of geographic barriers, is a daunting prospect for under-resourced institutions. There are several large, well-resourced universities that conduct extensive and sophisticated marketing and recruitment efforts for their online programs. With national recognition and significant resources, these institutions reach and enroll students from around the country and, indeed, the globe. Some of them—particularly those specializing in online programs—enroll students in tremendous numbers. As of fall 2021, the top five

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[23] Academic Partnerships proudly supports low-tuition, high-value programs at Eastern Michigan University, including: Registered Nurse to Bachelor of Science in Nursing (total tuition: $9,840); and Master of Arts in Early Childhood Education (total tuition: $15,360). No Eastern Michigan University program supported by Academic Partnerships is priced above $20,000. In contrast, the University of Michigan at Ann Arbor's online programs range in price from least expensive at $27,396 for Bachelor Science Dental Hygiene Degree Completion at the low end, all the way up to $120,000 for a Master in Business Administration.

[24] Multiple universities reported that their endowments gained more than $10 billion each during a single recent fiscal year. Michael T. Nietzel, *Elite University Endowments Soar As Higher Ed Divide Grows*, FORBES (October 15, 2021) https://www.forbes.com/sites/michaeltnietzel/2021/10/15/elite-university-endowments-soar-to-recordhighs/?sh=5d04d96d2d5f; Cecilia M. Orphan, Mac Weatherbee, & Becket C. Duncan, *Identifying, Defining, and Supporting Regional Public Universities and Colleges Report*, THE ALLIANCE FOR RESEARCH ON REGIONAL COLLEGES, p. 5, Dec. 2022 ("RPUs also have fewer endowment assets than non-RPUs; on average, RPUs have $28,968 less per FTE in endowment assets than non-RPUs.").

[25] Cecilia M. Orphan, Mac Weatherbee, & Becket C. Duncan, *Identifying, Defining, and Supporting Regional Public Universities and Colleges Report*, The Alliance for Research on Regional Colleges, p. 5, Dec. 2022 ("On average, RPUs receive $1,091 less per FTE enrollment in state appropriations than non-RPUs, yet state appropriations represent a larger proportion of the RPU budget.")

[26] United States Department of Education, Institute of Education Sciences, National Center for Education Statistics, Integrated Postsecondary Education Data System, All Postsecondary Institutions, Fall 2021 and Fall 2012.

[27] United States Department of Education, Institute of Education Sciences, National Center for Education Statistics, Integrated Postsecondary Education Data System, All Postsecondary Institutions, Fall 2021.

institutions accounted for 9% of all online enrollments, the top ten for 14%, and the top thirty for 23%.[28] This is a remarkable concentration of power in American online education and bears emphasis—only 30 of the over 5,000 institutions of higher education in the United States control 23% of the marketplace. Rescinding the bundled services guidance would reduce competition, inevitably increase this market concentration, and likely lead to higher tuition pricing.

Inclusive, under-resourced institutions have demonstrated by their ongoing choices that receiving and paying for services under the bundled service guidance is in their best interest. Many of them communicated this in their comments during the Listening Sessions hosted by the Department on March 8th and 9th, 2023—and in written comments submitted to date to the Department.

Nevertheless, it is still suggested by some that all universities should simply invest the capital and pay for the services they require up front—and take on all of the associated risks. These suggestions are made without regard for the financial constraints faced by many institutions and fail to acknowledge that if it was so simple to access in-house capital—or so desirable to shoulder such risks—then universities would have already done so.

Academic Partnerships' fee-for-persistence model does not involve any upfront payment from our university partners, thereby enabling them to offer online degree programs that they would otherwise be unable to pursue due to lack of capital. We provide almost all[29] the upfront capital investment necessary—and assume the associated risks—to make new programs available online. After programs are established, in many cases, the trends in the programs that Academic Partnerships supports are bright spots in an otherwise challenging enrollment and financial picture.

Any policy decisions regarding the bundled services guidance excludes, by definition, institutions that are in the rare and privileged position of performing all necessary online program functions on an in-house basis. Rescinding the bundled services guidance would make it impossible for smaller, under-resourced universities to compete with for-profit, mega-online, and elite institutions, resulting in a loss of programs and reduced student choice. While the bundled services guidance might be an optional tool for elite institutions, it is a vital tool for disadvantaged institutions. This latter group of institutions is relying on and deserves the Department's steadfast support.

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[28] United States Department of Education, Institute of Education Sciences, National Center for Education Statistics, Integrated Postsecondary Education Data System, All Postsecondary Institutions, Fall 2021.

[29] The only upfront capital investment not shouldered by Academic Partnerships is any necessary for the hiring of faculty, expansion of university administrative support, and course development. Such costs are borne by the university.

## 4. Enhance Transparency and Ensure Compliance

**To enhance transparency and ensure compliance, the Department should:**

- **implement the Government Accountability Office's (GAO) recommendation to provide additional instructions to institutions regarding the information they must provide about their online program manager arrangements during compliance audits and program reviews.**
- **establish straightforward, standardized reporting on key facts such as identifying which institutions and programs receive support from online program managers.**

Academic Partnerships agrees with the Department's focus on transparency regarding online program management arrangements and its introduction of an audit requirement to ensure regulatory compliance. In its April 2022 report regarding institutions' arrangements with online program managers, the GAO observed that it could not find authoritative nor comprehensive answers to basic questions, such as: How many institutions work with online program managers? How many programs are supported by online program managers? And which institutions and programs are they? The Department should establish straightforward, standardized reporting for these areas. In addition, the Department should ensure that outcomes data, such as graduation rates, are reported such that all stakeholders can assess online-program-manager-supported programs, alongside other programs.

In the context of institutions' arrangements with online program managers, the GAO recommended that the Department provide additional instructions to auditors and institutions on the scope of compliance audits and program reviews. Implementation of this recommendation will enhance transparency and ensure compliance. We are pleased that proposed revisions for the Compliance Supplement have been sent to the Office of Management and Budget,[30] and we support efforts to revise the Department's instructions to institutions about program reviews and audits to improve enforcement of the incentive compensation ban. The Department should update its Program Review Guide and instruct universities to provide the Department with all contracts that involve student recruitment, including those with online program managers.

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[30] United States Government Accountability Office, *Education Needs to Strengthen Its Approach to Monitoring Colleges' Arrangements with Online Program Managers*, https://www.gao.gov/products/gao-22-104463.

### 5. Empower Prospective Students

**To empower prospective students, the Department should:**

- **require that advertisements pertaining to programs reliant upon the bundled services guidance display full tuition and fees.**
- **require that a disclosure be made to prospective students when an online program manager provisions a program's faculty, instructors, or academic content.**
- **require that entities providing recruitment services pursuant to the bundled services guidance limit communication with prospective students to the program for which they have requested information.**
- **require that prospective students can easily and immediately opt out of further communication.**

Academic Partnerships supports commonsense steps to empower prospective students with critical information in an accessible, clear, intuitive manner to make informed decisions. The webpage for each program offered by our university partners and supported by Academic Partnerships displays full tuition and fees as well as admissions criteria. Academic Partnerships only communicates via telephone, SMS, and email with prospective students who have requested contact and each communication pertains only to the specific program and university about which they have inquired. At any time, prospective students can easily opt out of further contact, and this request is promptly honored.

These commonsense approaches empower prospective students to find key information, engage with programs of interest, and opt out of contact if they have no further interest in learning about a program. In addition, students should know when an online program manager provisions faculty, instructors, or academic content in a program.[31]

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Acting alone, the Department cannot achieve the goal of an American higher education system built on inclusivity, not selectivity, and affordability, not wealth. However, there is much that the Department can do to promote this goal, including recognizing and supporting others who are striving for it. Our university partners and Academic Partnerships are certainly among them.

Together, we can facilitate an environment in which all stakeholders in higher education gradually improve upon the good in the sector and eradicate the bad for the benefit of all American students, no matter their backgrounds or resources. Rescinding the bundled services guidance or otherwise inhibiting all tuition-share models is simply not a means to accomplish this.

Student success is what animates the work that we all do—and it is what motivated Congress to enact the incentive compensation ban. With a mandate that all payments for bundled services be made on a fee-for-persistence basis, that purpose will not only be respected—it will be advanced.

[31] Academic Partnerships does not provision faculty, instructors, nor academic content for the degree programs it supports.

The bundled services guidance has led to much good for institutions and students alike in the increasingly important realm of online education. It will continue to do so if left in place and, as suggested, improved by: (1) mandating a fee-for-persistence model, aligning incentives around student success, (2) measuring student success not only in terms of graduation rates, but also return of student investment, (3) encouraging the wide availability of low-tuition, high-value programs, (4) supporting inclusive, under-resourced institutions, (5) enhancing transparency and ensuring regulatory compliance, and (6) empowering prospective students.

We look forward to collaboratively approaching these topics and finding solutions together with the Department, our university partners, organizations in higher education, and others who share the belief that we can always improve for the benefit of those prospective students entering their higher education journeys in the future.

Thank you for this opportunity to comment.

Sincerely,

Fernando Bleichmar
Chief Executive Officer
Academic Partnerships

Adam Arguelles
Senior Vice President, Government Affairs
Academic Partnerships