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February 6, 2008

The Honorable Thomas Petri  
Member of Congress  
2462 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Petri:

On Thursday, February 7, the U.S. House of Representatives will consider **H.R. 4137**, the "College Opportunity and Affordability Act."

On behalf of the University of Wisconsin System, our 26 campuses and 170,000 students, I am writing regarding several provisions in H.R. 4137. As you know, the UW System is the eighth largest public university system in the nation, and we are very proud of our success in providing world-class education, research and public service.

There are seven provisions that relate to H.R. 4137 outlined and analyzed below.

**1. Access to Postsecondary Education.**

Overall, about 107,000 UW System students, approximately 63 percent of total enrollment, received approximately \$881 million in financial aid in 2006-07. Over three out of every four financial aid dollars to UW students were provided or underwritten through a Federal program. The largest Federal need-based grant program available to University of Wisconsin undergraduates is the Federal Pell Grant program. In 2006-07, 27 percent of all UW System financial aid recipients received a Pell Grant – a sharp decline of over one half compared to 1988-89 when 63 percent of UW students received Pell Grants. UW System is seeing this decline being replaced primarily by loan aid, now the largest component of financial aid to UW students.

**The UW System supports:**

- Authorization of the maximum Pell award at \$9,000 for each of the academic years;
- Authorization of up to two Pell Grant awards in a single academic year for select students;
- Increasing the annual and aggregate loan limits for Perkins Loans.

**Recommendation for Improving Legislation:**

- Provide funding for new Perkins Loan federal capital contributions.

**2. Linking Performance of Teacher Preparation Programs to Institutional Eligibility for Federal Financial Aid.**

H.R. 4137's provision linking performance of teacher preparation programs to institutional eligibility for federal financial aid is particularly problematic to the University of Wisconsin System because it may punish students for the performance of their institutions.

Such a federal intrusion makes little sense, and linking the performance of teacher preparation programs to the institution's financial aid eligibility could actually take away financial aid from low-income students. This seems unfair to students in other degree programs who have no connection to the institution's teacher preparation program, who would be penalized by withholding institutional eligibility for federal financial aid.

**Recommendation for Improving Legislation:**

- UW System requests that this provision be removed from the legislation.

**3. Requirement that institutions have procedures in place to notify campus community of emergency situations within 30 minutes even for events occurring in or on non-campus buildings and property or on public property.**

In the wake of the Virginia Tech shooting, a Commission was formed at my direction to develop recommendations for how UW System institutions can collectively prevent, intervene, respond, heal and resume operations when confronted with the threat of or actual major violence. We take very seriously our responsibility to maintain secure and safe learning environments for our faculty, staff and students, and we are committed to the mission, and providing resources and training needed to effectively dealing with all security threats.

The requirement that institutions have procedures in place to notify campus community of emergency situations within 30 minutes for events occurring not only in our campus buildings, but also on non-campus property or public property, is neither realistic nor practical.

We appreciate the intent of this language. Each campus within the UW System already has formal and informal relationships with local and state emergency response and law enforcement agencies, and we welcome the partnership of the federal government as we continue to improve and expand these relationships to best serve our campus communities.

**Recommendation for Improving Legislation:**

- We support the Senate-passed (S. 1642) language which requires statement of policies regarding immediate emergency response and evacuation procedures and notification of the campus community in a "timely and responsive" manner.

**4. Make available net price information by student/family income quartile in admissions materials.**

UW System institutions have available the income information for students and families who apply for financial aid; however, our institutions do not have income information available for students who do not apply for aid. Thus, requiring institutions to make available net prices by student/family income quartile is an onerous mandate on our institutions and on our students and families.

More than twelve years ago, the University of Wisconsin System introduced one of the nation's first public accountability reports. Just recently, the System announced it will participate in the new national "Voluntary System of Accountability," designed to provide greater, more uniform accountability across all public universities and colleges, with the goal of improving public understanding of how public colleges and universities perform, based on standardized student data.

One of the components of the Voluntary System of Accountability will be the collection of student and family information, including information about costs of attendance, degree offerings, living arrangements, student characteristics, graduation rates of individual institutions, and data about student progress through the entire UW System.

**Recommendation for Improving Legislation:**

- We support NASULGC's request that this requirement be struck.
- In addition, we urge the U.S. Congress to support the efforts of the national VSA project to achieve its goals without new mandates on higher education.

**5. Release of textbook information.**

Large increases and high costs make it difficult for many needy students to buy textbooks and therefore afford the ongoing costs of college.

The Board of Regents of the UW System recently commissioned a report entitled, "Textbook Costs in Higher Education," to find more cost-effective ways to combat rising textbook prices. Passed by resolution, the Regents required each UW institution to identify planned strategies to reduce textbook costs. Two initiatives, among many, that UW System is exploring to meet the goal of reducing costs are the use of text book rental programs and formal book exchanges.

The solution being proposed by H.R. 4137 is problematic and would provide no meaningful information while perhaps even adding costs for students. Course offerings and catalogues are published, in many cases, months before books for classes are chosen. Requiring that the list of books become available in time for course catalogues assumes that every instructor that teaches a given course uses the same textbooks and materials. In many cases, the instructors for classes are not determined before the course catalogues are published, so institutions would be required to publish a list of required textbooks before instructors are named.

**Recommendation for Improving Legislation:**

- We support NASULGC's position that Section 134(d) be struck.
- UW System stands ready to partner in developing new approaches that balance student cost and operational concerns of the campus community.

**6. Reporting requirements related to college cost provisions.**

We view the new college cost language that would replace the current language in Title I of H.R. 4137 as an improvement over the original language. Nevertheless, we continue to be concerned about cost provisions that measure changes in tuition and fees in terms of percentages and not in actual dollars. This is highly problematic, especially for public institutions of higher education that have worked hard to maintain low tuition levels.

Proposed Section 801(c) would require institutions that increase their net tuition beyond the rate of the Higher Education Price Index (HEPI) – now being called the Postsecondary Education Price Index (PEPI) -- expressed as a percentage and currently only designed to measure changes in tuition and fees, and not the changes in costs incurred by institutions of higher education, to submit a detailed report of their finances to the Secretary within six months.

Measuring increases solely in terms of percentages does not paint a complete or an accurate picture of college costs for students, their families, or policymakers, and is especially unfair to public institutions. According to the College Board, the average tuition for a four-year public institution in 2007 was approximately \$6,200. The average tuition of a four-year private institution is considerably higher, approximately \$23,800, according to the College Board. We would recommend that college cost criteria be based on both actual dollar and percentage increases.

**Recommendation for Improving Legislation:**

- We request that any criteria that measures increases in college costs be based on both actual dollar and percentage increases, and include costs incurred by institutions of higher education;
- The criteria that trigger reporting requirements in Title I and Title VIII should be consistent;
- With respect to “actions” being taken by institutions, we request that the word “voluntary” be added so that Sec. 801(c)(1)(D) reads as follows: “(D) A description of voluntary actions being taken by the institution to reduce net tuition.”

**7. Grants to Institutions of Higher Education.**

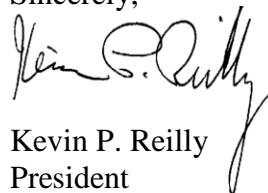
The legislation authorizes a variety of grants to institutions of higher education to enhance instruction in foreign language and area studies, provide for new STEM and nursing education programs, and further enrollment rates among graduates of rural high schools and nontraditional students at our rural institutions. UW System is especially appreciative of a new program that authorizes competitive grants to design and implement environmental sustainability practices.

**The UW System supports:**

- Authorization of a variety of grants to enhance instruction and study.

As the U.S. House considers the “College Affordability and Opportunity Act,” we hope you will consider this summary of the provisions in the bill that most directly affect our institutions and students. We thank you for considering the views of the University of Wisconsin System and our sister institutions of higher education as you formulate and vote on H.R. 4137.

Sincerely,



Kevin P. Reilly  
President

cc: UW Board of Regents  
Chancellors  
Cabinet  
Faculty Governance Representatives  
Academic Staff Governance Representatives  
President David Ward, ACE  
President Peter McPherson, NASULGC  
President Constantine Curris, AASCU  
Executive Director Paul Lingenfelter, SHEEO