



# **Webex Testimony in Support of S.B. 78**

*Presented to the House Committee on Education*

March 6, 2025

Paige Terryberry, *Visiting Fellow*  
Opportunity Solutions Project  
[paige@thefga.org](mailto:paige@thefga.org)

Good afternoon Chairwoman Estes and members of the committee.

Thank you for the opportunity to be here and encourage support for Senate Bill 78. My name is Paige Terryberry and I am a Visiting Fellow at Opportunity Solutions Project, a non-profit advocacy organization that seeks to improve lives through free enterprise, individual liberty, and a limited, accountable government.

Kansas is home to many highly ranked colleges and universities. Students from Kansas, and those from out of state, come here to receive a quality education. And schools here, just like everywhere in our country, are dependent on approval from accreditors. Accredited colleges and universities are widely accepted as legitimate; losing one's accreditation status is a death sentence both reputationally and financially. This is how accreditors act as gatekeepers to indispensable Title IV funding, making them immensely powerful.

And unfortunately, accreditors too often use this power to interfere with schools' governance and push radical ideological standards. On top of this, they neglect their duty to ensure academic quality.<sup>1</sup> Here are a few examples:

In 2022, an accreditor threatened Florida State University's accreditation status because of who they were considering for university president, drawing outrage from the college's trustees who themselves have the authority to choose the president.<sup>2</sup> Ultimately, the person was not considered for the role.<sup>3</sup>

In another recent case, an accreditor publicly meddled in UNC-Chapel Hill's plan to establish a program focused on thought diversity.<sup>4-5</sup>

In Georgia, an accreditor threatened the federal funding of every public higher education institution in the state over the potential appointment of the state's former governor to oversee the state university system.<sup>6</sup>

In another instance: A California university received a notice of concern from their accreditor, telling them they must further develop a campus-wide DEI vision.<sup>7</sup> The accreditor removed the notice of concern only after the school implemented the policy.<sup>8-9</sup>

Though none of these examples are from Kansas, Kansas could be next. Notice how none of these examples involve education or student outcomes. These examples are about power and governance. A Harvard Business School study found that, only in less than three percent of cases, accreditors acted against a higher education institution when it concerned poor outcomes for students.<sup>10</sup>

This is wrong. And real problems are being overlooked. College tuition is skyrocketing, students are increasingly in debt, and degree completion rates have flatlined. Accreditors are not ensuring quality.

Federal funds should certainly only flow to legitimate institutions. But by giving power of the purse to unaccountable entities, accreditors have wielded authority that they should not possess.

The good news is that states can push back. This bill provides a simple two-part solution: First, it gives Kansas's colleges and universities the opportunity to shop around and second, it empowers schools to hold accreditors accountable.

Allowing colleges to freely pursue accreditation from any federally recognized accrediting agency dismantles the monopoly stranglehold that accreditors have. It gives schools the autonomy to choose an accreditor that aligns with their specific needs and unique missions. Other states have done this. Today, Florida, North Carolina, Tennessee, and West Virginia allow colleges to choose their accreditor instead of being forced to work with their regional one.<sup>11-12-13-14</sup> These reforms are possible through a Trump-era rule that removed geography as a factor for an accreditor's scope.<sup>15</sup> Kansas should follow suit. Second, Senate Bill 78 gives Kansas colleges room to push back on accreditors if they are negatively affected by retaliatory action from an accreditor. And the bill requests that colleges notify the state legislature of any related violation from an accreditor.

No school in Kansas should be subject to ideological oppression to serve its students. And no school should be told how to manage its own governance by an accreditor. Introducing flexibility and necessary accountability is a simple step in the right direction. This bill empowers Kansas educators and brings rightful accountability to the accreditation process.

Opportunity Solutions Project is pleased to offer our support for this legislation.

<sup>1</sup> Office of Postsecondary Education, "College accreditation in the United States," U.S. Department of Education (2025), <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/college-accreditation/college-accreditation-united-states/college-accreditation-in-the-united-states--pg-1#Overview#Overview>.

<sup>2</sup> MyFloridaLegal, "United States District Court Southern District of Florida Fort Lauderdale division," MyFloridaLegal (2023), <https://www.myfloridalegal.com/sites/default/files/2023-06/accreditation-complaint-as-filed.pdf>.

<sup>3</sup> Divya Kumar, "Richard Corcoran out of FSU presidential search; Three academics move on," Tampa Bay Times (2021), <https://www.tampabay.com/news/education/2021/05/15/richard-corcoran-out-of-fsu-presidential-search-three-academics-move-forward>.

<sup>4</sup> Jenna Robinson, "Gov. Cooper's UNC 'commission' shows its hand," The James G. Martin Center for Academic Renewal (2023),

<https://www.jamesgmartin.center/2023/02/gov-coopers-unc-commission-shows-its-hand>. <sup>5</sup> The Editorial Board, "The University of North Carolina Fight Escalates," Wall Street Journal (2023), <https://www.wsj.com/articles/the-university-of-north-carolina-fight-escalates-unc-belle-wheeler-sacs-higher-education-college-accreditation-free-expression-d2077882>.

<sup>6</sup> Eric Stirgus, "Agency warns Georgia Regents against politicizing chancellor search," The Atlanta Journal Constitution, (2021), <https://www.ajc.com/education/agency-warns-georgia-regents-against-politicizing-chancellor-search/NDBHGL3YGFB5FMPUVH6S5OHRSM>.

<sup>7</sup> Shendel Friedman, "WSCUC asks CLU to 'sustain a commitment to diversity, equity and inclusion,'" The Echo (2021), <https://cluecho.com/17970/news/wscuc-asks-clu-to-sustain-a-commitment-to-diversity-equity-and-inclusion>.

<sup>8</sup> Jamienne S. Studley, "Notification letter," WASC Senior College and University (2021), <https://wascsenior.app.box.com/s/c2cb8qokc0xo2t5rfak6wch9149j09t3>.

<sup>9</sup> Carrollyne Aasen, "WSCUC removes formal notice of concern," The Echo (2023), <https://cluecho.com/23303/news/wscucremoves-formal-notice-of-concern>.

<sup>10</sup> Stig Leschly and Yazmin Guzman, "Oversight of academic quality and student outcomes by accreditors of US higher education," Harvard Business School (2022), <https://postsecondarycommission.org/wp-content/uploads/2024/01/Accreditor-College-Quality-Report-FINAL-PSC-Updated-010624.pdf>. <sup>11</sup> Fla. Stat. § 1001.706, <https://laws.flrules.org/2022/70>.

<sup>12</sup> N.C. Gen. Stat. § 115C-12, [https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter\\_115c/gs\\_115c-12.html](https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_115c/gs_115c-12.html).

<sup>13</sup> W. Va. Code § 18B-4-7, <https://code.wvlegislature.gov/18B-4-7>.

<sup>14</sup> Tenn. Code Ann. § 49-7-187, <https://casetext.com/statute/tennessee-code/title-49-education/chapter-7-postsecondary-and-higher-education-generally/part-1-miscellaneous-provisions/section-49-7-187-accreditation>.

<sup>15</sup> Department of Education, "Student assistance general provisions, the Secretary's recognition of accrediting agencies, the Secretary's recognition procedures for state agencies," Federal Register Vol. 84, No. 212 (2019), <https://www.federalregister.gov/documents/2019/11/01/2019-23129/student-assistance-general-provisions-the-secretarys-recognition-of-accrediting-agencies-the>.

OPPORTUNITYSOLUTIONS PROJECT 4