

**NATIONAL ASSOCIATION OF SCHOOLS OF THEATRE**  
**59<sup>th</sup> Annual Meeting**

and

**Retreat for Administrators of Theatre Programs in Higher Education**

March 27 – 30, 2024

**Report of the Executive Director**

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The 2023–2024 academic year found the higher education community working to emerge from a period marked by unprecedented change and unexpected realities. Leaving behind aspects of the past, institutions were greeted by yet another casting of a “new normal”—one that required concerted efforts on the part of institutions to review, reconsider, and re-evaluate long-standing traditions associated with nearly every aspect of life as it pertains to theatre education and training. Although challenges were faced and, in many cases, remain in abundance today, the fortitude and spirit of the members of NAST have without question been unwavering—in short, they have served as a beacon of hope and possibility during these tumultuous times. Throughout these last many months, the members of NAST have remained true to their missions, unwavering in their commitment to educate to the highest level students enrolled in theatre study. NAST applauds the unflinching and enduring efforts of its members and appreciates the efforts of each and every individual involved in this noble pursuit. As we settled into the 2023–2024 academic year, efforts to support and advance theatre as a profession, as a critical and indispensable aspect of collegiate study, and as an integral part of our nation’s fiber which binds us together, remained a central focus, and continues today. The effectiveness of NAST’s work in various areas, including accreditation, professional development, research, and monitoring and analyzing policy pertaining to higher education and the arts, continues to be reviewed, discussed, improved, and enhanced. As NAST serves an ever-growing and diverse membership, its projects in accreditation and beyond continue to broaden and evolve. The Association’s principal activities during the past year and issues of note are presented below.

**Accreditation Standards and Procedures**

Much of the yearly work of NAST involves accreditation. This includes preparation for the meetings of the Commission on Accreditation; scheduling accreditation visits; arranging consultations for member and potential member institutions; communicating with institutions preparing accreditation materials; receiving and reviewing accreditation materials; and reviewing and developing standards, guidelines, resources, and educational programs in support of the accreditation review process. All individuals involved in these activities—including institutional representatives, faculty and staff members, the members of the NAST Commission, visiting evaluators, consultants, presenters, and National Office staff members—work to make this service a valuable component in the advancement of theatre programs in institutions of higher education, and theatre as a specific disciplinary field of study.

Maintaining its responsibility to review accreditation applications, the work of the Commission has continued without pause during these last years, aided in large part by the dedication of the members of the NAST Commission. The NAST Commission continues to review applications for accreditation, renewal of accreditation, Responses, Progress Reports, Plan Approval and Final Approval for Listing applications, requests for Substantive Change, and the like. The work of the Commission is significantly assisted by the work of the NAST corps of visiting evaluators. NAST continues to take steps to expand the breadth and depth of its pool of visiting evaluators. During this Annual Meeting, NAST will offer training sessions for new and experienced evaluators, and a briefing for the entire evaluator corps. NAST deeply appreciates the service of those assuming this

important role, and the assistance evaluative teams and consultants provide to applicant institutions. It is highly recommended that representatives from accredited institutional members consider participating in evaluator training. In addition to the assistance provided by evaluators to institutions and NAST, this service can be invaluable in the opportunities it presents to broaden the perspectives of theatre administrators.

The NAST *Handbook* includes all current national standards and guidelines for degree- and non-degree-granting institutions offering programs of study in theatre, as well as the Association's Constitution, Bylaws, Code of Ethics, and Rules of Practice and Procedure. NAST continually reviews the information in the *Handbook* and conducts annual as well as multi-year comprehensive reviews of the entire *Handbook*. Such reviews provide to NAST an opportunity to focus on all standards. Though the most recent comprehensive review process, begun in 2015, was concluded in 2019, the standards as a whole remain open for comment. NAST welcomes feedback at any time. Following its commitment to proactively review in detail all standards in the *Handbook* on a scheduled basis, the next comprehensive review process is slated to begin in 2026. An amended *Handbook* typically is released following the Annual Meeting. The NAST *Handbook 2024-25* is expected later this spring. It will include current standards and guidelines as approved during the NAST Annual Meeting by the appropriate NAST deliberative body. Institutions are asked to remain cognizant of NAST standards and guidelines, and to consult the *Handbook* regularly, whether preparing for an NAST comprehensive review, planning institutional initiatives, and/or designing new curricular programs.

A comprehensive review of the Association's *Procedures* documents was conducted during the 2022–2023 academic year. Due to the magnitude of this project, the new editions of these documents will be released just before the beginning of the 2024–2025 academic year. Institutions are asked to continue to use the current editions found on the NAST website.

All current accreditation-related documents, standards, and procedures are available for download from the Association's website located at <https://nast.arts-accredit.org>. Institutions are reminded that the standards are set in a framework which allows for flexibility and creativity in approach. Should representatives wish to explore the depth, breadth, and latitude inherent in the standards, which can be invaluable when addressing local conditions and realities, contact with the NAST National Office staff is recommended.

The Association continues to encourage consideration of the use of the NAST review process and/or materials, particularly the national standards, in other review contexts. Consolidating reviews may assist institutions to conserve resources and realize economies of scale. Many institutions are finding efficiencies by combining required NAST comprehensive reviews with internal and/or other external reviews. The Association is willing to work with institutions and programs interested in exploring options in this regard and to assemble NAST reviews that are thorough, rigorous, efficient, and suitably dovetailed with other internal and external efforts.

The Association is cognizant of the many hours devoted by member and applicant institutions to research, study, consider, prepare, and present accreditation materials for review by the Commission. NAST is deeply grateful for these efforts extended on behalf of the field of theatre and congratulates the institutions and their representatives for their many accomplishments and successes resulting from their work.

### **Annual Meeting**

The NAST Annual Meeting is an integral opportunity for individuals to connect, communicate, and come together in community. The Annual Meeting offers the opportunity for theatre administrators to share and receive information which can broaden and hone understandings, particularly with regard to current and salient issues, and can assist administrators to address local and national realities. As well, the Annual Meeting serves

as a venue which enables the Association to conduct its required business. NAST is delighted to gather in community on-site in 2024. NAST looks forward to connecting with past attendees and welcoming new registrants.

Annual Meeting content is driven largely by the feedback offered by member institutions and Annual Meeting attendees and is informed by current issues faced by administrators responsible for guiding and leading collegiate programs in theatre. NAST welcomes your thoughts, ideas, and suggestions, and stresses the important need for your feedback. NAST offers to all registrants an opportunity to provide comment through the use of the Annual Meeting app. In addition to the app, and subsequent to the Annual Meeting, NAST circulates a questionnaire to all members and Annual Meeting attendees requesting feedback. Please consider taking a moment to participate in these initiatives, and/or to merely communicate directly with the NAST staff.

### **Availability of Informative Materials**

NAST maintains a robust library of material focused on topics such as accreditation, professional development, policy analysis, and research. These materials are intended to assist accredited institutional members navigating the constantly changing higher education landscape. A recent addition to the NAST library includes an extensive web-based resource entitled, *Leadership: Navigating Difficult Situations and Conditions* (see <https://nast.arts-accredit.org/leadership/>). Offering a wealth of information, this site is divided into six sections: *Facts, Principles, Considerations: Important Reminders; Strategic Thinking—An Intellectual Endeavor: Developing an Abiding Approach; Informed Decision-Making: The Importance of Distillation and Synthesis; Frequently Asked Questions (FAQs); The Long View: The Place of Reasonableness; and Concluding Thoughts: Support and Appreciation*. This and many other published resources found on the NAST website assist theatre executives as they are called upon to articulate the benefits of and necessity for theatre study. Whether looking for rationales or assistance to develop talking points, NAST publications are a sterling source of support, assistance, and information. It is recommended that representatives of member institutions visit and review the site's content often and as needed, as well as the extensive list of publications available within the "Publications" section of the website (see <https://nast.arts-accredit.org/publications/>).

### **Financial Planning**

Although the Association's Managed Assets account has not escaped the recent tumultuous movements of the market, the balance of funds in the account is growing at a slow and steady pace over the long run. The solid base now in place is intended to support NAST's work to advance its objectives and ensure its future, and therefore its ongoing contributions to its members and the field.

### **Projects**

NAST participates in the Council of Arts Accrediting Associations (CAAA) with NASAD (art and design), NASD (dance), and NASM (music). The Council is concerned with issues that affect all four disciplines and their accreditation efforts. The NAST President (DeAnna Toten Beard) and Vice President (David Z. Saltz) are the theatre Trustees of the Council and represented NAST during CAAA meetings, which in January 2024 were held in person in Arlington, VA. CAAA sponsors the Accrediting Commission for Community and Precollegiate Arts Schools (ACCPAS), which reviews arts-focused schools at the K-12 level. Currently, there are 17 institutions accredited by ACCPAS. This undertaking is valuable in that it assists to connect precollegiate and higher education efforts. Holly Logue of Kean University is the theatre appointee to the ACCPAS Commission.

Just prior to the onset of the pandemic, NAST finalized, and anticipated launching in 2020, its new Annual Meeting app. This app was designed to provide to Annual Meeting attendees streamlined access to Annual Meeting, hotel, and venue information. NAST released the app for use during the 2022 Annual Meeting. The app

is offered again to attendees in 2024. Noting the functionality of the app to provide Annual Meeting logistics and information, as anticipated, NAST will no longer provide hard-copy Annual Meeting packets. NAST welcomes your feedback regarding the use of the app.

During the 2021–2022 academic year, the National Office staff, in partnership with an external third-party vendor, began work to design and implement an accreditation data management system that will enable institutions to submit accreditation materials electronically. Among other attributes, this new tool will enable NAST to sunset its requirement for hard-copy accreditation submissions. Work to complete this project continues; the approach taken is productive and methodical. Launch and use of the new platform is expected this spring. Further information outlining use of the system will be provided by the NAST staff once the new system is operational. Helpful and informative sessions regarding the operation of the system will be offered during future NAST Annual Meetings.

In addition to the initiatives outlined above regarding the Annual Meeting app and the electronic collection of accreditation information, NAST, in the fall of 2020 in conjunction with NASAD, NASD, and NASM, began work to upgrade the HEADS Data Services Project, moving it to a new platform. The newly designed system is intended to mimic the existing features of the HEADS Data Survey and to combine the features of the HEADS Data Summaries and HEADS Special Reports into navigable dashboards which offer users the ability to create user-defined single- and multi-year reports populated by historical data collected through use of the survey tool.

Unfortunately, many of the challenges described in last year's update remained with the project during the current year and continued to affect the functionality of the new system. Therefore, despite best efforts, a decision was made in August of 2023 to engage a new third-party vendor to complete the implementation of the new system. A new vendor was contracted in September of 2023. Although this change has resulted in the need to retrace some steps in the design and implementation phases, the project is now well underway.

The HEADS Data Survey is in final form and will be made available for use and data entry as part of the new data management system, which is expected to be released in the coming weeks. In the meantime, on March 1, 2024, HEADS provided to all members and past participants a fillable copy of the 2023-2024 HEADS Data Survey requesting that 1) institutions collect and hold 2023-2024 data until the 2023-2024 HEADS Data Survey is launched and the 2023-2024 data can be entered into the new system, and 2) institutions conducting comprehensive reviews provide a copy of their 2023-2024 HEADS Data Survey in their 2023-2024 accreditation dossiers.

The Navigable Dashboards are operational at this time and include data collected through the HEADS Data Survey instrument from 2016-2017 through 2021-2022. Upload of the 2022-2023 data remains overdue but anticipated. Please visit the HEADS website to access these dashboards and all historical HEADS Data Summaries for art/design, dance, music, and theatre now available without fee. It is anticipated that data from the 2023-2024 data collection process will be added to the Navigable Dashboard database and made available during the summer of 2024.

It is hoped that users will find the Navigable Dashboards immensely helpful in supporting the ongoing work of arts units and institutions. HEADS extends once again deepest appreciation for the kind patience and continuing support offered as work to implement the new system continues. Should questions arise regarding the HEADS Data Survey, please feel free to contact Nora R. Hamme in the National Office ([nhamme@arts-accredit.org](mailto:nhamme@arts-accredit.org)). With regard to the HEADS Navigable Dashboards, please contact Angie Elkins ([aelkins@arts-accredit.org](mailto:aelkins@arts-accredit.org)).

## Policy

### Leadership of Congressional Education Committees

The 118th Congress convened in January 2023 and saw a return of Virginia Foxx (R-NC) to the position of Chair of the House Committee on Education and the Workforce; Ranking Member is Bobby Scott (D-VA). The Senate Committee on Health, Education, Labor, and Pensions (HELP) is chaired at this time by Bernie Sanders (I-VT); Bill Cassidy (R-LA) serves as the Ranking Member.

### Higher Education Act of 1965

The Association continues to follow and monitor carefully various federal and state initiatives and issues—one of particular import is the Higher Education Act (HEA). This Act was last reauthorized in August 2008 and expired December 31, 2013. Although in recent years there have been attempts to re-energize the reauthorization process, to date, reauthorization has yet to begin in earnest. Given other pressing initiatives before the U.S. House and Senate, action regarding a wholesale reauthorization is not anticipated in the near term. However, there have been recent efforts to amend sections of the HEA in the form of stand-alone bills.

Lack of timely reauthorization (expected every fifth year) has resulted in substantial efforts to regulate and re-regulate the existing law (HEA). Although regulations are intended to clarify existing law, the re-regulation of various aspects of the law can and often does lead to re-interpretations of original and/or various rewritten regulations, the result of which requires institutions of higher education participating in Federal financial aid programs to remain abreast of and pay careful attention to federal activities in this regard. Information provided below outlines initiatives pertinent to higher education which have either been completed, are ongoing at this time, or are anticipated.

### Department of Education

#### Final Regulations Released:

**Ability to Benefit** (published October 31, 2023/effective July 1, 2024)—With regard to students who do not have a high school diploma or its equivalent, amends regulations which are meant to articulate State-defined processes which address a student’s “ability to benefit” from an educational program, including how to document and verify whether an institution offers an eligible career pathway program.

**Administrative Capacity** (published October 31, 2023/effective July 1, 2024)—Amends regulations that are associated with the administrative capability that must be achieved by institutions participating in programs under title IV programs.

**Borrower Defense to Repayment** (published November 1, 2022/effective date delayed)—Determines the acts or omissions of an institution of higher education a borrower may assert as a defense for repayment of a loan made under the FDL and FFEL Programs. On August 7, 2023, a federal court issued an injunction delaying the effective date of the latest regulations governing borrower defense to repayment and closed school loan discharge until at least November of 2023.

**Certification Procedures** (published October 31, 2023/effective July 1, 2024)—Reassessment of provisionally certified institutions that have significant consumer protection concerns by the end of their second year of receiving certification.

**Changes in Ownership and Control (CIO)** (published October 28, 2022/effective July 1, 2023)—Amends existing regulations pertaining to institution and program eligibility associated with changes in institutional ownership which result in a change in control.

**Determining the Eligibility of Faith-Based Entities to Participate in Federal Student Aid Programs** (published August 14, 2020/effective July 1, 2021)—Amends the current regulations regarding the

eligibility of faith-based entities to participate in Federal Student Aid programs and the eligibility of students to obtain certain benefits under those programs.

**Distance Education and Innovation** (published September 2, 2020/amended September 3, 2020/effective July 1, 2021)—Amends the general eligibility, establishing eligibility, maintaining eligibility, and losing eligibility sections of the Institutional Eligibility regulations.

**Factors of Financial Responsibility** (published October 31, 2023/effective July 1, 2024)—Amends regulations which are meant to define the level of financial responsibility an institution must maintain in order to be eligible to participate in title IV programs.

**Federal Education Assistance Funds Received by Institutions of Higher Education (90/10)** (October 28, 2022/effective July 1, 2023)—Governs whether proprietary institutions meet federal regulation that requires institutions to receive at least 10 percent of their revenue from sources other than federal education assistance funds.

**Financial Value Transparency\*** (published October 10, 2023/effective July 1, 2024)—Regulations which are meant to address transparency by providing information about financial costs and benefits to students at nearly all academic programs at postsecondary institutions that are eligible to participate in title IV of the HEA of 1965, as amended. These transparency measures apply to all programs in all sectors. Recall that under the heading of **Public Transparency for Low-Financial-Value Postsecondary Programs**, USDE released a request for feedback on how best to identify low-value postsecondary programs, how to calculate metrics that may be used to identify low-financial-value programs and inform technical considerations, and how best to publicly disseminate this information. (Comment period ended February 10, 2023.) (\*Related to Gainful Employment).

**Gainful Employment** (published October 10, 2023/effective July 1, 2024, facing legal challenge)—Amends regulations which are meant to ascertain whether post-secondary educational programs prepare students for gainful employment in recognized occupations, and the conditions under which institutions and programs remain eligible for student financial assistance programs under Title IV of the Higher Education Act. Gainful Employment regulations pertain to all programs at for-profit institutions and all non-degree programs at public and private non-profit institutions. It does not pertain to students in Puerto Rico and other American territories due to concerns regarding the reliability of available earnings data. On December 22, 2023, the American Association of Cosmetology Schools filed a lawsuit in Federal court challenging the new rule, arguing that it is arbitrary and capricious, in excess of statutory authority, contrary to constitutional right, and claiming that it eliminates due process for institutions.

**Income Driven Repayment** (published July 10, 2023/effective July 1, 2024)—Streamlines and standardizes loan repayment regulations.

**Public Service Loan Forgiveness** (published November 1, 2022/effective July 1, 2023)—Enables borrowers to receive loan forgiveness after ten years of qualifying payments on qualifying loans while engaging in public service.

**Recognition of Accrediting Agencies, Certain Student Assistance General Provisions, and Institution Eligibility** (published November 1, 2019/effective July 1, 2020/Amended October 20, 2022)—Defines the roles and responsibilities of accrediting agencies, States, and the Department in oversight of institutions participating in Federal Student Aid programs authorized under title IV of the HEA of 1965; modifies “substantive change” requirements; modifies the requirements for State authorization to clarify the responsibilities of institutions and States regarding students enrolled in distance education programs and students enrolled in programs that lead to licensure and certification.

Final Regulations Anticipated:

**Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance** (USDE/OCR, anticipated October 2023/delayed to 2024)—Intended to address issues pertaining to the prevention of discrimination on the basis of gender identity or sexual orientation and

establishment of educational environments free from discrimination on the basis of sex, including sexual orientation and gender identity.

**Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance: Sex-Related Eligibility criteria for Male and Female Athletic Teams** (USDE/OCR, anticipated October 2023/delayed to 2024)—Intended to address issues related to a recipient’s adoption or application of sex-related criteria that would limit or deny a student’s eligibility to participate on a male or female athletic team consistent with their gender identity.

**Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees** (DOL/WHD, comment period ended November 7, 2023, anticipated Spring 2024)—Proposal to update and revise the regulations issued under section 13(a)(1) of the Fair Labor Standards Act implementing the exemption from minimum wage and overtime pay for executive, administrative, and professional employees, sometimes known as “White Collar Exemptions.” Includes the proposal of a new rule that would significantly raise the minimum salary for employees to qualify for the so-called white-collar exemptions (administrative, executive, and professional employees, among other classifications) to the overtime requirements of the Fair Labor Standards Act (FLSA). The white-collar exemptions allow employees that meet certain duty requirements to be exempt from the overtime rules of the FLSA, which generally require employees working in the United States to be paid time-and-one-half of their regular rate of pay for all hours worked over 40 in a work week. This rule would raise the minimum salary threshold for the white-collar exemption from \$684 to \$1,059 per week, and from approximately \$35,568 to \$55,068 per year. In addition, the proposed rule increases the salary threshold for the so-called “highly compensated employee” exemption from \$107,432 to \$143,988.

NPRM (Notice of Proposed Rulemaking):

**H-1B Specialty Occupation Program** (DHS/USCIS, October 20, 2023)—Intention to amend the H-1B specialty occupation worker program.

**Student Loan Debt Relief** (DOE, June 30, 2023)—Amend existing regulations to open a new pathway to student debt relief (see Issue Paper: Student Loan Debt Relief, USDE NPR, Session 1).

Negotiated Rulemaking Sessions Currently Underway:

Student loans, addressing the topics of:

**Modification, Waiver, or Compromise of Federal Student Loans** (USDE Fact Sheet, June 30, 2023) (Fall 2023)—As a result of the Supreme Court decision to rule the Debt Relief Plan unconstitutional, an intention to 1) open alternative paths to debt relief, and 2) devise a new repayment plan (SAVE).

**Improving Use of Deferments and Forbearances** (Fall 2023)—Amend existing regulations associated with requirements which address the issuance of forbearances and deferments, particularly in relation to income-driven repayment.

Institutional Quality and Accountability, addressing the topics of:

**Accreditation and Related Issues** (Fall 2023)—Amend existing regulations associated with the Secretary’s recognition of accrediting agencies and accreditation procedures as a component of institutional eligibility for participation in federal student financial aid programs.

**Cash Management** (Fall 2023)—Amend existing regulations associated with cash management to ensure that students have and maintain timely access to student aid disbursed by their institutions.

**Distance Education** (Fall 2023)—Amend the definition of “distance education”.

**State Authorization** (Fall 2023)—Amend existing regulations associated with State Authorization as a

component of institutional eligibility for participation in federal student financial aid programs.

**Third-Party Servicers and Related Issues** (Fall 2023)—Amend existing regulations related to existing guidance for third-party services, reporting requirements, financial or other compliance requirements, and past performance requirements as a component of ongoing institutional eligibility for participation in federal student aid programs. Regulations are not intended to apply to international programs.

**Title IV** (Fall 2023)—Amend existing regulations associated with the return of unearned Title IV Higher Education Act program funds, opportunities to protect students and taxpayers, and the easing of administrative burdens placed on institutions of higher education.

Notice of Intent to Commence Negotiated Rulemaking:

None announced at this time.

Guidance from the Department of Education Issued in the Form of “Dear Colleague” Letters and Other:

Of Note: “Dear Colleague” letters offer guidance provided by the staff of the United States Department of Education (USDE) regarding both current Higher Education law and regulation.

- (GEN-23-24) **Regulations Governing the Recognition of Accrediting Agencies, Institutional Eligibility, and Arbitration** (USDE/OPE, November 3, 2023, updated December 5, 2023)
- Fact Sheet: **Regulations on Accountability, Transparency and Financial Value for Postsecondary Students** (USDE/OPE, October 31, 2023)
- Dear Colleague Letter: **U.S. Supreme Court decision regarding race in admissions** (USDE/DOJ, August 14, 2023)
- **Questions and Answers Regarding the Supreme Court’s Decision in *Students for Fair Admission, Inc. v. Harvard College and University of North Carolina*** (USDE/DOJ, August 14, 2023)
- **Guidance for Ensuring Complaint Procedures for Accrediting Agencies are Fair, Timely, and Equitable** (USDE/OPE, August 7, 2023)
- (GEN-23-10) **Implementation and Policy Guidance of Pre-Dispute Arbitration Agreement Provisions** (July 3, 2023)
- (GEN-23-09) **Accreditation and Eligibility Requirements for Distance Education** (May 18, 2023)
- (GEN-23-08) **Update to Third-Party Servicer Guidance in GEN-23-03** (February 28, 2023)
- (GEN-23-03) **Requirements and Responsibilities for Third-Party Servicers and Institutions** (February 15, 2023; Updated February 16, 2023; Updated May 16, 2023)
- (GEN-23-02) **2023-2024 Federal Pell Grant Payment and Disbursement Schedules** (January 28, 2023)
- (GEN-22-70) **Updated Guidance and Procedures for Change in Ownership** (September 15, 2022)
- (GEN-22-13) **Federal Student Aid Eligibility for Borrowers with Defaulted Loans** (August 17, 2022)
- Memorandum: **Changes of Ownership** (USDE/OPE, February 2, 2023)
- (GEN-22-11) **Procedures for Institutions Seeking Approval of a Request to Change or Add Accrediting Agencies** (July 19, 2022; Updated September 26, 2022)
- (GEN-22-10) **Guidance for Institutions Seeking to Change or Add Accrediting Agencies** (July 19, 2022)

Other Initiatives:

Carnegie Foundation for the Advancement of Teaching/American Council on Education (ACE)

**Changes to the Long-Standing Carnegie Classifications** (anticipated 2025)



## Department of Homeland Security

**Deferred Action for Childhood Arrivals (DACA)**—On September 13, 2023, the U.S. District Court for the Southern District of Texas issued a decision finding the *Deferred Action for Childhood Arrivals (DACA) Final Rule* unlawful and expanding the original July 16, 2021 injunction and order of vacatur to cover the Final Rule published by the Department of Homeland Security (DHS) on August 24, 2022. In general, the final rule codified existing policies and included limited amendments intended to preserve and fortify DACA. The final rule was to be effective October 31, 2022. However, on October 5, 2022, the U.S. Court of Appeals for the Fifth Circuit issued a decision on the DACA policy, partially affirming the District Court’s July 2021 decision declaring the 2012 DACA policy unlawful. The Court of Appeals preserved the partial stay issued by the District Court in July 2021 and remanded the case back to the District Court for further consideration of the new DHS DACA regulation published on August 30, 2022.

## NACIQI (Advisory Body to the Secretary of Education)

**Areas Recommended for USDE Review, Consideration, Re-regulation (Winter 2023)**—Speaks to issues such as institution and accreditor complaint policies; outcomes/student achievement standards; public input into the recognition process; changes to the recruitment of public members.

## States

**Florida**—Senate Bill 7044 (passed May 2022) requires all public educational institutions in the state to change their postsecondary institutional accreditor (Federal gatekeeper) during each review cycle.

**North Carolina**—HB 8 (passed October 2023) requires all public educational institutions in the state to change their postsecondary institutional accreditor (Federal gatekeeper) during each review cycle.

## Supreme Court

**Debt Relief Plan**—On August 24, 2022, the White House announced its Debt Relief Plan. Subsequently, on November 10, 2022, a federal district court judge in the state of Texas ruled the Debt Relief Plan unlawful. Oral arguments as they pertain to two lawsuits were heard beginning February 28, 2023. On June 30, 2023 the Supreme Court ruled the Debt Relief Plan unconstitutional.

**Race in Admissions**—With regard to its consideration of two cases pertaining to race in admissions, on June 29, 2023, the Supreme Court ruled the practice of race-conscious admissions to be unconstitutional.

**Regulatory Authority**—The Court heard combined oral arguments on January 17, 2024 in the cases of *Loper Bright v. Raimondo* and *Relentless Inc. v. Department of Commerce*. These cases have the potential to impact the precedent known as the *Chevron* doctrine which allows the courts to defer to the expertise of agencies with expertise who have crafted rules and regulations based on their statutory authority when laws are ambiguous or silent.

## The White House

**The SAVE Plan (June 2023)**—An income-driven repayment (IDR) plan that calculates payments based on a borrower’s income and family size – not their loan balance – and forgives remaining balances after a certain number of years.

**Student Loan Forgiveness (ongoing)**—Subsequent to the June 30, 2023 Supreme Court decision regarding the Biden administration’s plan to forgive up to \$20,000 in student loans per borrower, the administration has forgiven a considerable amount of student loans through other means. As of early November 2023, the total amount of forgiven loans is nearly \$132 billion, impacting approximately 3.6

million borrowers. Avenues for forgiveness include fixes to the Income Drive Repayment system, Public Service Loan Forgiveness, total and permanent disability discharges, discharges related to school closures, court settlements, and forms of misrepresentation.

NAST will continue to monitor these conversations, providing salient information to its members as it may become available.

There is no doubt that the federal landscape associated with higher education has changed dramatically during these last years and will continue to change. Members and colleagues should remain abreast of unfolding activities, study federal writings, and offer feedback pertaining to federal requests and proposed regulation applicable to issues which may affect collegiate study and the education and training of students enrolled in theatre programs as deemed appropriate by the institution. Concerted effort is needed to ensure that neither law nor the regulation that follows restricts postsecondary institutions from designing and implementing effective programs of study. Protecting and maintaining institutional autonomy and freedoms vital to the success of our educational system, as well as our pursuit of creative and innovative undertakings, remains paramount.

It is of note that, in addition to regular communications, NAST publishes advisories that describe regulations associated with the 2008 reauthorization of the HEA. These *Advisories on Federal Issues* may be found within the “Publications” section of the NAST website and are intended to provide helpful summary information. Review is recommended.

In addition to policy areas mentioned above, the Association remains concerned about implications of tax policy, intellectual property rights, the preponderance of data collection absent useful purpose and associated issues of privacy and confidentiality, copyright and public domain, the disparity in educational opportunity at the K-12 level, and the pace of cultural changes enabled by technological advances and their impact. Many contextual issues that affect NAST institutions grow out of large social forces that can be understood, but not influenced significantly. Economic cycles and downturns have a profound effect, but no single person or entity controls them. NAST continues to monitor policy discussions regarding deductions for charitable contributions on federal income tax returns. Increasing personal philanthropy is a critically important element in future support for education and the arts, particularly in fluctuating economic times. As well, NAST keeps a watchful eye on proposals that would bring increased federal involvement in the activities of and control over non-profit organizations and philanthropies.

NAST will continue to monitor ongoing events, actively engage in the conversations that address such issues, assist to provide detailed and thorough information, and keep the membership informed as issues and initiatives progress.

### **National Office**

The NAST National Office is located in Reston, a Virginia suburb of Washington, D.C., and a stop on Metro’s Silver Line. The office is about eight miles east of Dulles International Airport, and approximately 20 miles from downtown Washington, D.C. As a result of the pandemic, the NAST National Office staff has been working both in-person and remotely since March 17, 2020. Should your travels bring you to the area, please feel free to schedule an appointment with a staff member, or merely stop by for a visit.

The primary purpose of the National Office is to operate the Association under rules and policies established by the membership, the Board of Directors, and the Commission on Accreditation. Its strength rests in its peer governance operations and its peer review efforts. The work of the Association is carried out by many volunteers—elected officials, evaluators, and meeting participants—all willing to donate their valuable time and expertise, all holding and exhibiting unwavering commitment to the field. Although the availability of each

member's time becomes ever more precious, NAST continues to seek volunteers and enlist their assistance in the work of the Association. Such acts of support and volunteerism in NAST are a testament to the extraordinary spirit and dedication of its members. The work of our visiting evaluators and members of the Commission is an exemplary expression of our collective commitment to our field and faith in its future.

This outstanding corps of volunteers is joined by a dedicated and capable National Office staff: Stephen Cannistraci, Jane Creagan, Angie K Elkins, Nora R. Hamme, Jenny Rebecca G. Kuhlmann, Tracy L. Maraney, Stacy A. McMahon, Justin Medlen, Lisa A. Ostrich, and Ann B. Stutes. To support the work of accredited institutional members, the work of the staff and the services provided to accredited institutional members have grown over the years. Staff is focused on carrying out the daily work of the Association, developing new practices, creating new and refining established systems, assisting institutions seeking accreditation for the first time, and consulting with institutions seeking renewal of Membership. The staff is diligent in its efforts to assist and serve institutions, and to carry out the responsibilities of NAST effectively.

As a staff, we are able to see on a daily basis the great foundational strength of NAST. Fundamental to this foundation is wisdom about the need to remain informed, communicate, and work together to continue to build theatre in higher education as a whole, as well as in each member and applicant institution. NAST has realized great success in maintaining its focus on issues of importance to institutions and the field, and in working to address these issues. It promotes collegial connections and centers its work on concepts, conditions, and resources necessary for competence and creativity. This foundation, now strongly in place, will serve NAST well as it faces changing and challenging times ahead.

The staff joins me in expressing appreciation for the support, cooperation, assistance, and kindness extended by the NAST membership. It is an honor and a privilege to have the opportunity to serve NAST, its member institutions, and its constituencies. We hope you will always feel free to contact the staff whenever you think we may provide assistance. We look forward to continuing our efforts together.

Please accept our heartfelt appreciation and best wishes as you advance the work of theatre in higher education.

Respectfully submitted,

Karen P. Moynahan  
Executive Director