Compact for Academic Excellence in Higher Education

Discussion with representatives from Ropes & Gray and the American Council on Education (ACE)

October 23, 2025

COGR℠

Advancing Effective Research Policy

www.cogr.edu

www.linkedin.com/company/cogr

Compact for Academic Excellence in Higher Education

October 23, 2025

Speakers

Douglas Hallward-Driemeier, Partner, Ropes & Gray

Stephen D. Sencer, Counsel, Ropes & Gray

Jessie Brown, Executive Vice President, American Council on Education (ACE)

Moderator: Kristin West, Director, Research Ethics & Compliance, COGR

COGR

Overview of the Compact

ROPES & GRAY

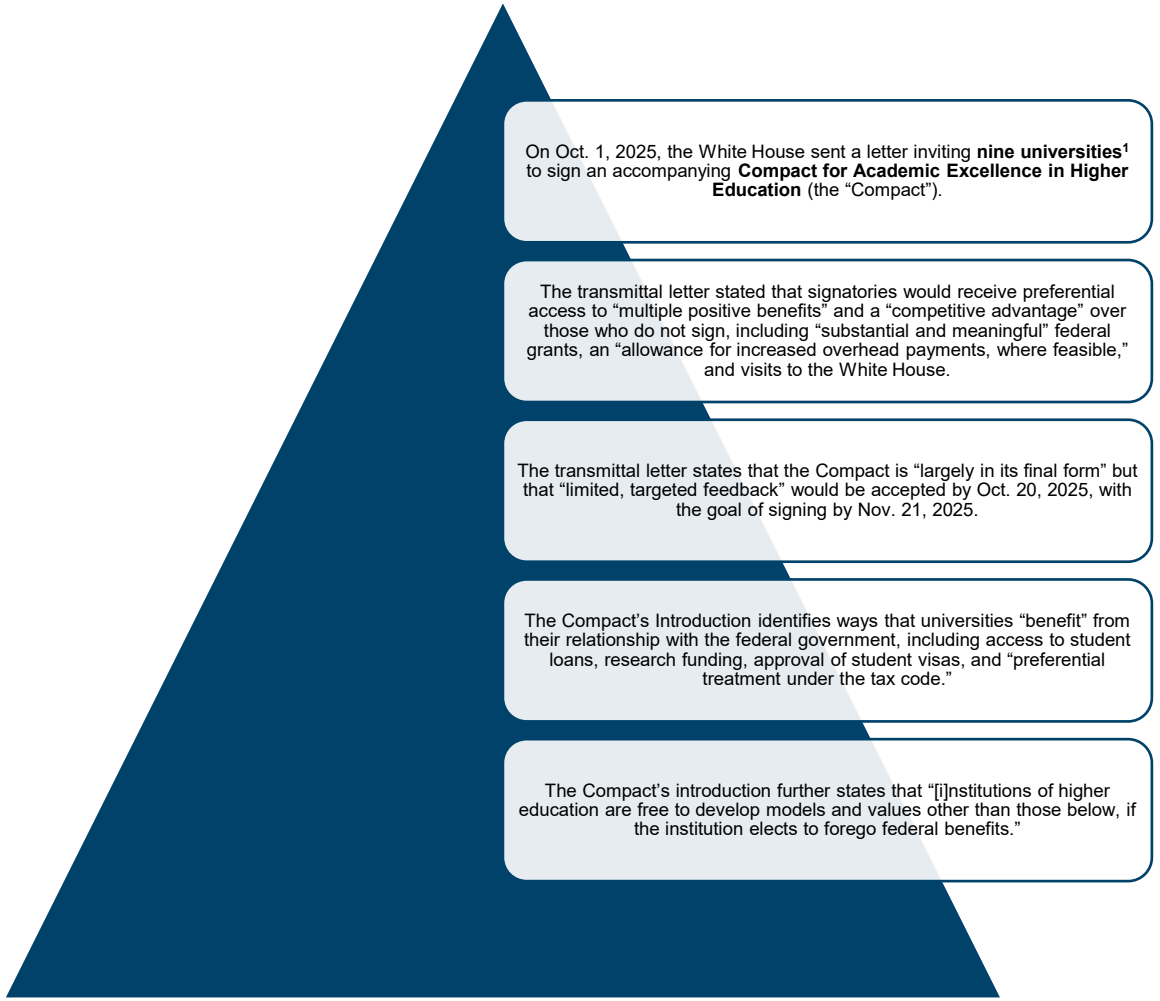
The Compact for Academic Excellence in Higher Education:

Overview of the Compact

Doug Hallward-Driemeier & Steve Sencer

COGR Meeting
October 23, 2025

Compact Background



ROPES & GRAY

1 The nine universities include Vanderbilt University, Dartmouth College, the University of Pennsylvania, the University of Southern California, Massachusetts Institute of Technology, the University of Texas at Austin, the University of Arizona, Brown University, and the University of Virginia.

Compact Overview

- ***"Equality in Admissions"***
  - "[N]o factor such as sex, ethnicity, race, nationality, political views, sexual orientation, gender identity, religious association, **or proxies**…shall be considered, **explicitly or implicitly**, thereof in any decision related to…admissions or financial support."
  - Signatories must:
    - Publish "objective criteria" on which admissions decisions are based.
    - Require all undergraduate applicants to have taken a standardized test (*e.g.*, SAT, ACT) or utilize other "program-specific measures of accomplishment" in the case of specialized or art-based programs.
    - Report anonymized applicant data (including GPA and test scores) by race, national origin, and sex.
  - ***Exception***: Institutions "comprised of students of a specific sex or religious denomination."
- ***"Marketplace of ideas and civil discourse"***
  - Signatories must:
    - "Transform[] or abolish[] institutional units that purposefully **punish, belittle**, and even spark violence against **conservative ideas.**"
    - "[C]ommit to rigorous, good faith, empirical assessment of a **broad spectrum of viewpoints** among faculty, students, and staff at all levels" and "seek such a broad spectrum of viewpoints…**within every field, department, school, and teaching unit."**
    - "Universities shall neither support nor permit a **heckler's veto** through, for example, disruptions, violence, intimidation, or vandalism."
    - Require **"conditions of civility"** and **"commit to using lawful force"** to prevent:
      - Actions to delay or disrupt class instruction, campus presentations, etc.
      - Demonstrators to heckle/accost other students
      - Obstruction of access to parts of campus based on a student's race, ethnicity, nationality, or religion

Compact Overview

- ***Nondiscrimination in administrative hiring***
  - Signatories must:
    - Commit to "rigorous and meritocratic selection based on objective and measurable criteria" when selecting faculty and administrators.
    - "**Consistent with…Title VII of the Civil Rights Act and other federal employment statutes,** no factor such as sex, ethnicity, race, national origin, disability or religion shall be considered in any decision related to the appointment, advancement, or reappointment of academic, administrative, or support staff at any level."
- ***Institutional Neutrality***
  - "[A]ll university employees, in their capacity as university representatives, will abstain from actions or speech relating to societal and political events except in cases in which external events have a direct impact upon the university."
- ***Student learning***
  - Signatories must make certain "grade integrity" commitments, including neither "inflat[ing]" nor "deflat[ing]" grades for any "non-academic reason."
  - Grades must "reflect the demonstrated mastery of a subject that the grade purports to represent."
  - Signatories must publish grade distribution dashboards and explain "unusual upward trends."

Compact Overview

- ***Student Equality***
  - Signatories must:
    - Treat students "as individuals and **not on the basis of their immutable characteristics**, with due exceptions for sex-based privacy, safety, and fairness" (*e.g.*, "single-sex spaces such as bathrooms and locker rooms, and fair competition in sports").
    - Commit to "defining and otherwise interpreting 'male,' 'female,' 'woman,' and 'man' **according to reproductive function and biological processes**."
- ***Financial Responsibility***
  - Signatories must:
    - **"Freez[e] the effective tuition rates** charged to American students for the next five years."
    - "[P]ublicly post statistics about average earnings from graduates in each academic program and…refund tuition to undergraduate students who drop out during the first academic term."
    - **For universities with an endowment greater than $2 million per undergraduate student**: not charge tuition to students admitted to "hard science programs," except for "families of substantial means."
    - Accept full transfer credits from the Joint Service Transcript of military service members and veterans.

Compact Overview

- ***Foreign Entanglements***
  - *International student admissions* – signatories must:
    - Cap admissions of participants in the Student Visa Exchange Program to **no more than 15%** of the university's undergraduate student population, with no **more than 5%** of the undergraduate student population from any one country.
    - Commit to selecting foreign students based on "demonstrably extraordinary talent, rather than on the basis of financial advantage to the university."
    - Commit to screening out "students who **demonstrate hostility to the United States, its allies, or its values.**"
    - Provide **all known information about foreign students, including discipline records**, to the Departments of Homeland Security and State.
  - *Money laundering program* – signatories must:
    - Maintain an anti-money laundering and Know Your Customer ("KYC") program in accordance with federal law.
- ***Exceptions***
  - "Notwithstanding the foregoing, a religious institution may maintain preferences for religious affiliation or belief in hiring and admissions, a single-sex institution may maintain sex-based preferences, and any institution may maintain preferences in admissions for American citizens."

Compact Overview

- ***Enforcement***
  - "On an annual basis, the university's **President, Provost, and Head of Admissions shall be required to certify** the University's **adherence to the principles** contained herein."
  - The University shall conduct an "**anonymous poll of its faculty, students, and staff**, providing them the opportunity to evaluate the university's performance against this Compact."
  - **"Adherence to this agreement shall be subject to review by the Department of Justice."**
  - Universities found to have "willfully or negligently" violated the Compact shall lose access to the benefits of this agreement for no less than one year, or two years for subsequent violations.
  - Further, upon determination of any violations, **all monies advanced by the U.S. government during the year of any violation shall be returned to the U.S. government.** Finally, **any private contributions** to the university during the year(s) in which such violation occurred **shall be returned to the grantor upon the request of the grantor.**

Application of the Compact and Resulting Ironies

Application of the Compact

Jessie Brown, Exec. V.P. ACE

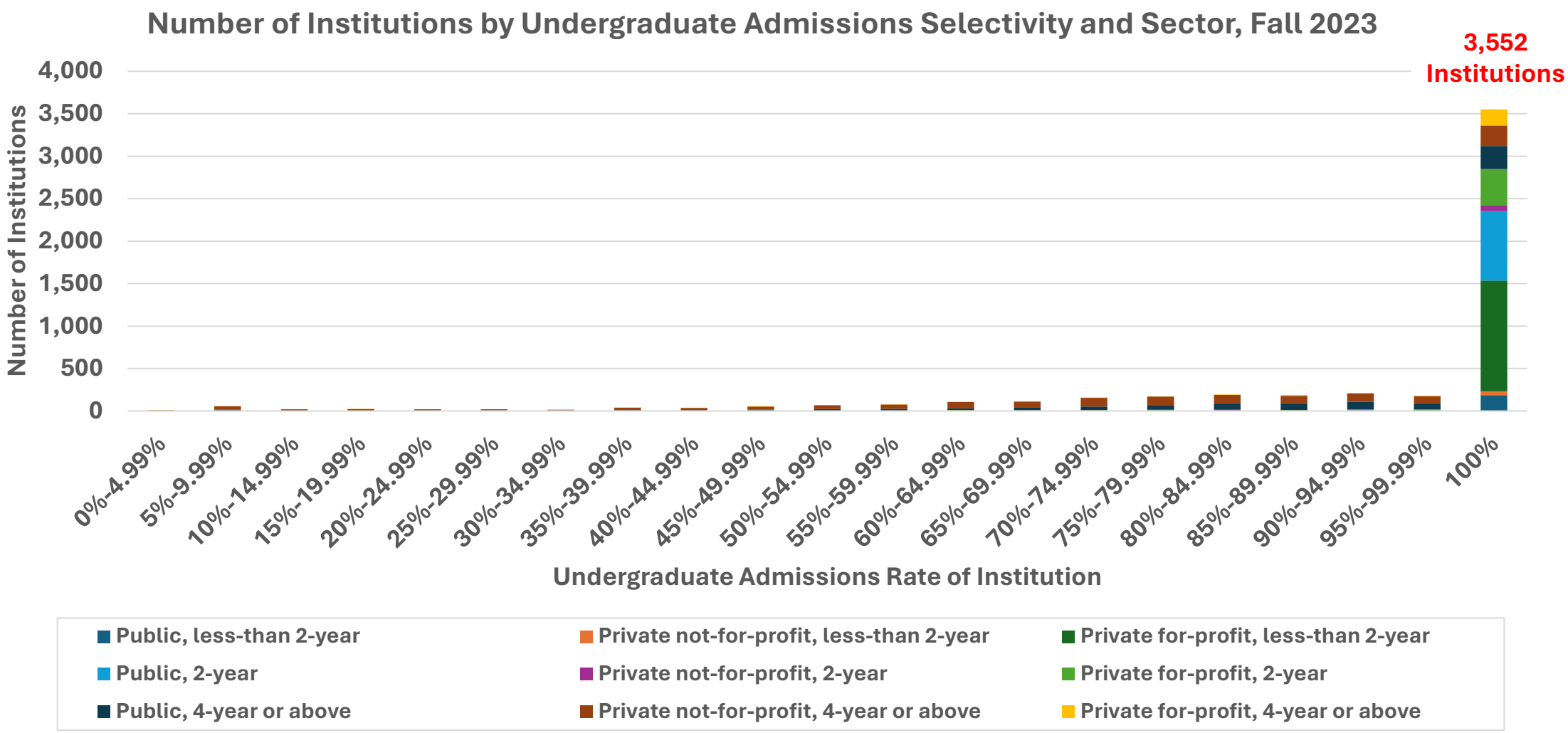
Parts of the Compact Addressed Here

- Equality in Admissions
- Financial Responsibility
- Foreign Entanglements

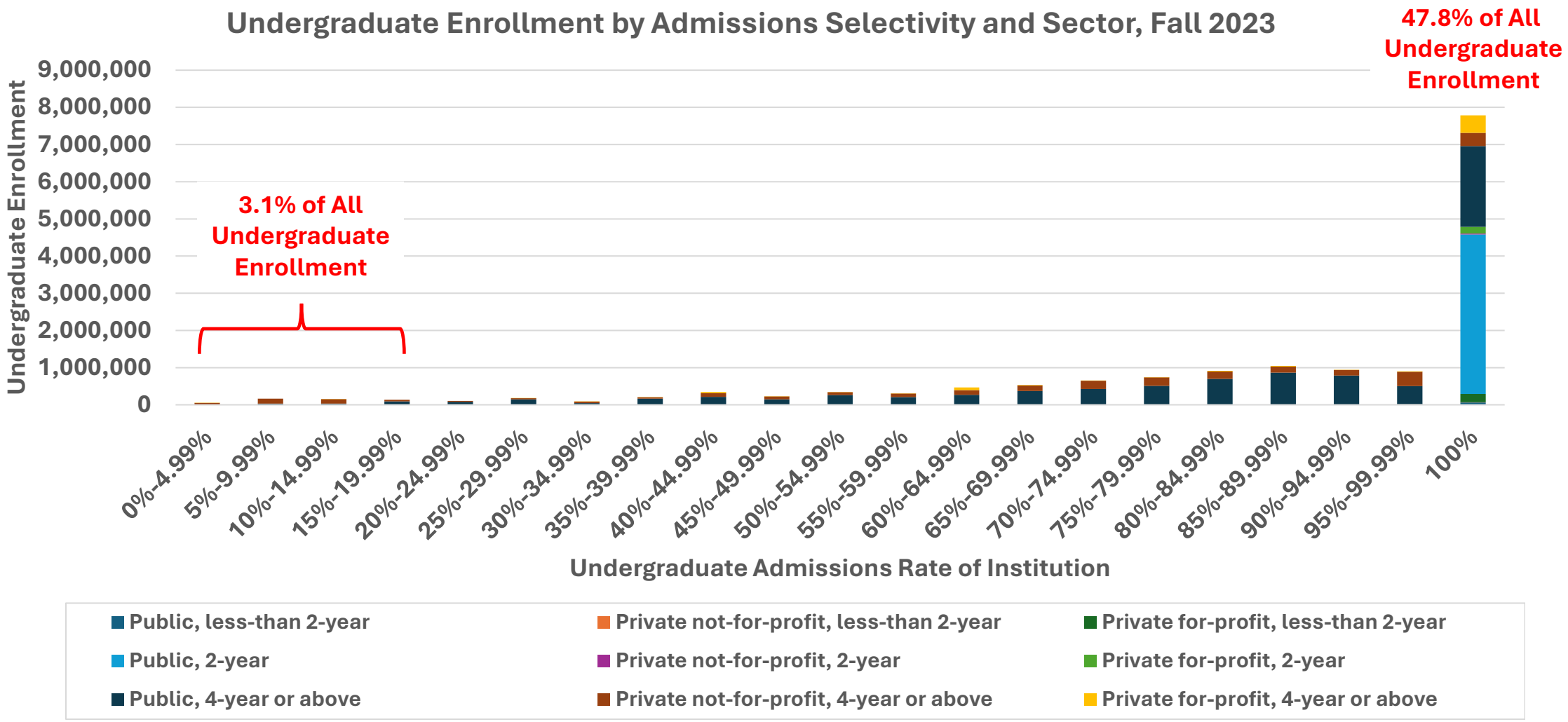
University admissions decisions shall be based upon and evaluated against objective criteria published on the University's website and available to all prospective applicants and members of the public.

Institutions shall have all undergraduate applicants take a widely-used standardized test (i.e. SAT, ACT, or CLT) or program-specific measures of accomplishment in the case of music, art, and other specialized programs of study.

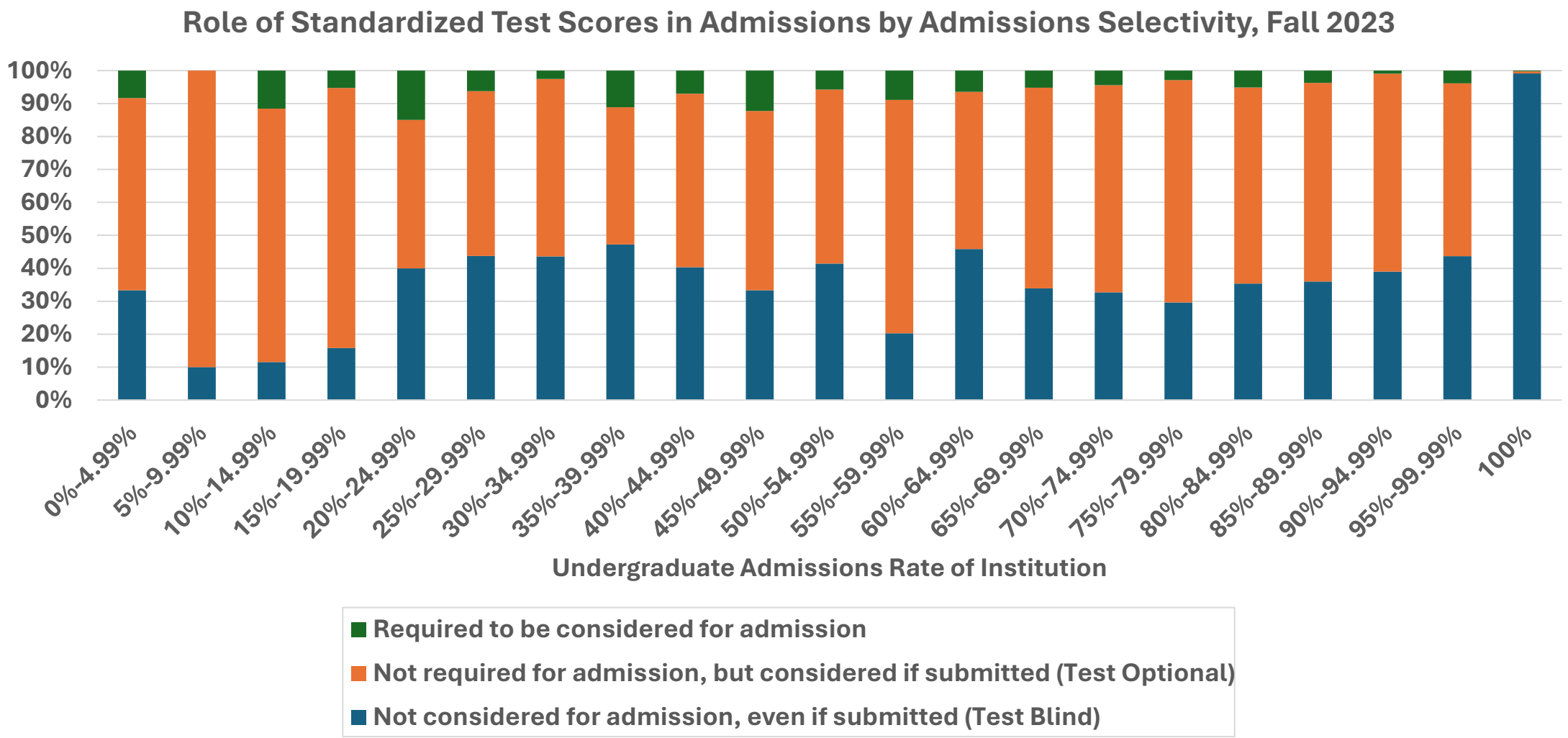
3,552 Institutions—Two-Thirds of All Institutions that Admit Undergraduates—Are Open Admission Institutions



Nearly Half of All Undergraduate Students are Enrolled in Open Admission Institutions

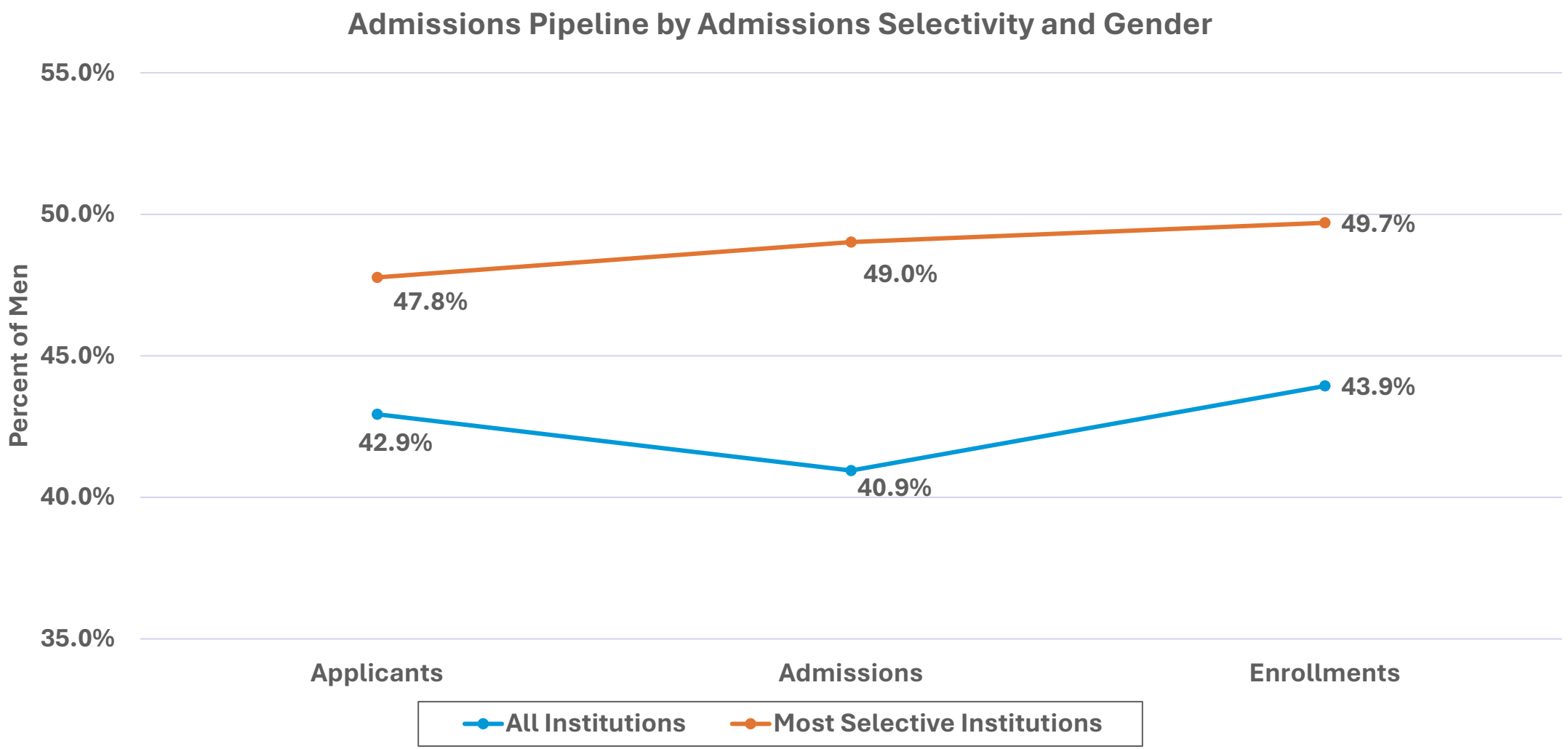


64% of Institutions That Are Not Open Admission Either Require or Consider Standardized Test Scores in Admission Decision



Therefore, no factor such as sex, ethnicity, race, nationality, political views, sexual orientation, gender identity, religious associations, or proxies for any of those factors shall be considered, explicitly or implicitly, in any decision related to undergraduate or graduate student admissions or financial support, with due exceptions for institutions that are solely or primarily comprised of students of a specific sex or religious denomination.

Women Outnumber Men at Each Stage of Admissions Pipeline, But Less So at Most Selective Institutions



Universities shall publicly post statistics about average earnings from graduates in each academic program and shall refund tuition to students who drop out during the first academic term of their undergraduate studies.

Retention Rate Context: These Numbers are Conservative

- The only retention data available in IPEDS is done on a version of first-time, full-time data, so it is almost certainly an undercount
- Tuition and fees may be a smallish number in a few places; for most publics, this is in-state tuition (e.g., ASU is $11,618)

Four-year Private Universities Have the Most to Lose

Control + Level	Sum of total tuition lost
For-profit	$255,600,007
Four-year	*$183,103,004*
Less than two-year	*$11,523,383*
Two-year	*$60,973,620*
Private	$3,322,420,079
Four-year	*$3,295,070,312*
Less than two-year	*$43,895*
Two-year	*$27,305,873*
Public	$2,851,992,987
Four-year	*$2,069,656,538*
Less than two-year	*$4,022,555*
Two-year	*$778,313,894*
Grand Total	$6,430,013,073

Those Universities Are Not Who You Think They Are

- Top 15 institutions in total tuition lost

UNITID	instm	tuition 2022-23	# FT dropped	FT retention rate	# PT dropped	PT retention rate	total tuition lost
134237	Full Sail University	$26,307	1901	64	0		$50,009,607
104717	Grand Canyon University	$17,800	2340	68	618	41	$45,318,800
183026	Southern New Hampshire University	$15,380	939	60	5147	36	$40,828,773
195809	St. John's University-New York	$47,830	573	80	15	57	$27,645,740
232557	Liberty University	$22,511	932	79	731	24	$26,465,432
104151	Arizona State University Campus Immersion	$11,618	2174	85	89	47	$25,602,199
194310	Pace University	$50,026	486	77	8	64	$24,446,039
146719	Loyola University Chicago	$49,498	452	84	2	0	$22,406,095
196413	Syracuse University	$60,135	359	91	5	64	$21,688,690
195003	Rochester Institute of Technology	$54,518	363	88	1	0	$19,808,207
228459	Texas State University	$11,135	1643	78	159	46	$18,884,960
105330	Northern Arizona University	$12,274	1491	73	111	19	$18,754,672
191241	Fordham University	$58,467	319	88	5	62	$18,748,418
212054	Drexel University	$58,965	304	90	10	58	$18,121,910
140951	Savannah College of Art and Design	$39,605	441	87	33	71	$17,901,460

How the Nine Fare

UNITID	instm	tuition 2022-23	# FT dropped	FT retention rate	# PT dropped	PT retention rate	total tuition lost
104179	University of Arizona	$13,275	757	88	933	68	$14,177,700
123961	University of Southern California	$64,726	119	97	1	50	$7,723,969
228778	The University of Texas at Austin	$11,698	348	96	18	86	$4,141,092
221999	Vanderbilt University	$60,348	58	96	0	100	$3,500,184
215062	University of Pennsylvania	$63,452	46	98	0		$2,918,792
234076	University of Virginia-Main Campus	$20,342	107	97	0		$2,176,594
182670	Dartmouth College	$62,658	25	98	0		$1,566,450
217156	Brown University	$65,146	23	99	0		$1,498,358
166683	Massachusetts Institute of Technology	$57,986	11	99	0		$637,846

Interesting Comparisons

- Liberty University would lose $26M more than MIT
- Ivy Tech Community College would lose at least $15M – 10 times as much as Brown University ($1.5M)
- Kent State University would lose more ($11M) than Ohio State ($6M)

Signatories shall responsibly deploy their endowments to the public good. Any university with an endowment exceeding $2 million per undergraduate student will not charge tuition for admitted students pursuing hard science programs (with exceptions, as desired, for families of substantial means).

Few Institutions Have An Endowment Exceeding $2M per Undergraduate Student (NACUBO + IPEDS)

IPEDS UnitID[2]	Institution Name	City	State	Total 2023 FT + PT UG, 12-month headcount	FY23 Total Endowment Market Value (in $1,000s)	FY23 UG/endowment (in $1,000s)
186131	The Trustees of Princeton University	Princeton	NJ	5,690	34,058,774	5,985.72
148511	Rush University Medical Center	Chicago	IL	149	791,897	5,314.74
130794	Yale University	New Haven	CT	8,009	40,746,900	5,087.64
166683	Massachusetts Institute of Technology	Cambridge	MA	4,729	23,453,446	4,959.49
166027	Harvard University	Cambridge	MA	12,494	49,495,108	3,961.51
243744	Stanford University	Stanford	CA	9,383	36,495,000	3,889.48
110404	California Institute of Technology	Pasadena	CA	1,023	3,665,200	3,582.80
148016	The Principia Corporation	Saint Louis	MO	376	869,991	2,313.81
152080	University of Notre Dame	Notre Dame	IN	9,157	16,616,524	1,814.63
164465	Amherst College	Amherst	MA	2,017	3,341,667	1,656.75
227757	Rice University	Houston	TX	4,712	7,737,448	1,642.07
215062	University of Pennsylvania, Trustees of the	Philadelphia	PA	12,929	20,962,965	1,621.39
182670	Dartmouth College	Hanover	NH	4,948	7,930,125	1,602.69

Students With "Hard Sciences" Degrees Do Not Necessarily Find Jobs More Easily

- Top 20 majors with the highest unemployment rates

Major	Unemployment Rate	Underemployment Rate	Median Wage Early Career	Median Wage Mid-Career	Share with Graduate Degree
Anthropology	9.4	55.9	42,000	70,000	46.7
Physics	7.8	35.0	70,000	100,000	67.9
Computer Engineering	7.5	17.0	80,000	122,000	40.0
Commercial Art & Graphic Design	7.2	34.7	48,000	75,000	11.3
Fine Arts	7.0	53.4	42,500	70,000	22.6
Sociology	6.7	54.4	45,000	70,000	39.7
Chemistry	6.1	40.6	55,000	90,000	65.5
Computer Science	6.1	16.5	80,000	115,000	32.8
Information Systems & Management	5.6	28.5	65,000	100,000	25.7
Public Policy and Law	5.5	53.9	50,000	75,000	45.0
Liberal Arts	5.3	56.5	45,000	70,000	31.2
Miscellaneous Technologies	5.0	55.6	60,000	92,000	18.4
English Language	4.9	48.6	45,000	70,000	47.5
Economics	4.9	31.9	70,000	110,000	41.6
International Affairs	4.9	38.5	60,000	100,000	43.8
Political Science	4.7	50.6	54,000	90,000	52.6
Industrial Engineering	4.6	16.8	76,000	108,000	41.7
History	4.6	51.2	45,000	77,000	49.2
Communications	4.5	52.3	52,000	85,000	23.5
Journalism	4.4	35.7	50,000	85,000	28.0

Federal Reserve Bank of New York, The Labor Market for Recent College Graduates

There Are Likely Fewer Humanities Majors than “Hard Science” Majors Who Are Unemployed

Humanities

Major	# bachelor's avg/year	Unemployment Rate	# of grads unemployed /year
Ethnic Studies	766	2.565	20
Performing Arts	22,098	2.718	601
Art History	1,548	3.047	47
Theology and Religion	5,239	3.072	161
Philosophy	4,620	3.18	147
Foreign Language	9,581	4.04	387
Communications	33,513	4.497	1,507
History	14,873	4.618	687
English Language	18,367	4.943	908
Liberal Arts	33,741	5.253	1,772
Fine Arts	26,544	7.012	1,861
TOTAL			**8,098**

Social Sciences

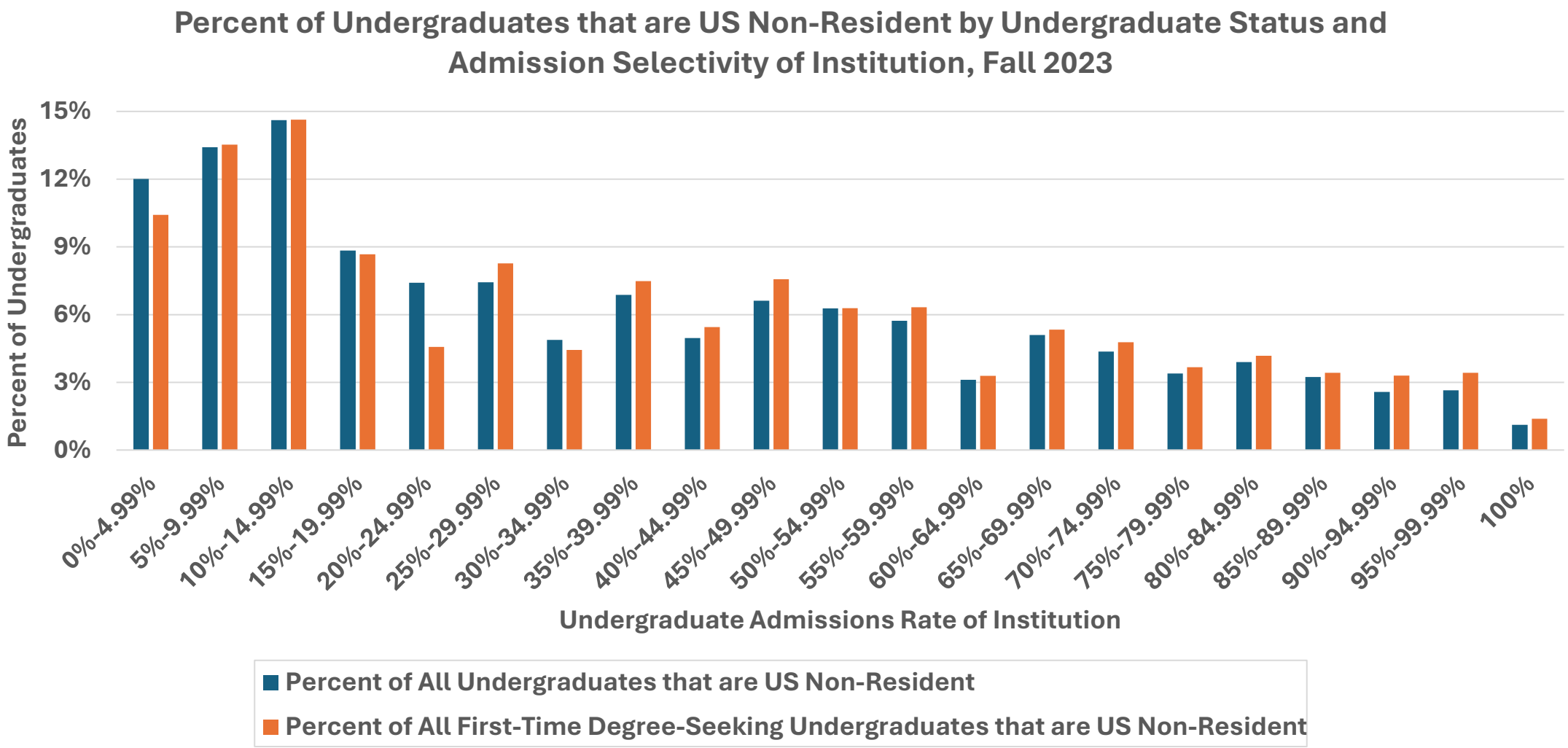
Major	# bachelor's avg/year	Unemployment Rate	# of grads unemployed / year
Family and Consumer Sciences	10,156	2.694	274
General Social Sciences	23,589	3.329	785
Political Science	24,340	4.732	1,152
International Affairs	8,355	4.928	412
Economics	20,578	4.941	1,017
Public Policy and Law	4,377	5.513	241
Sociology	16,202	6.729	1,090
Anthropology	5,237	9.42	493
TOTAL			**5,464**

Hard Sciences

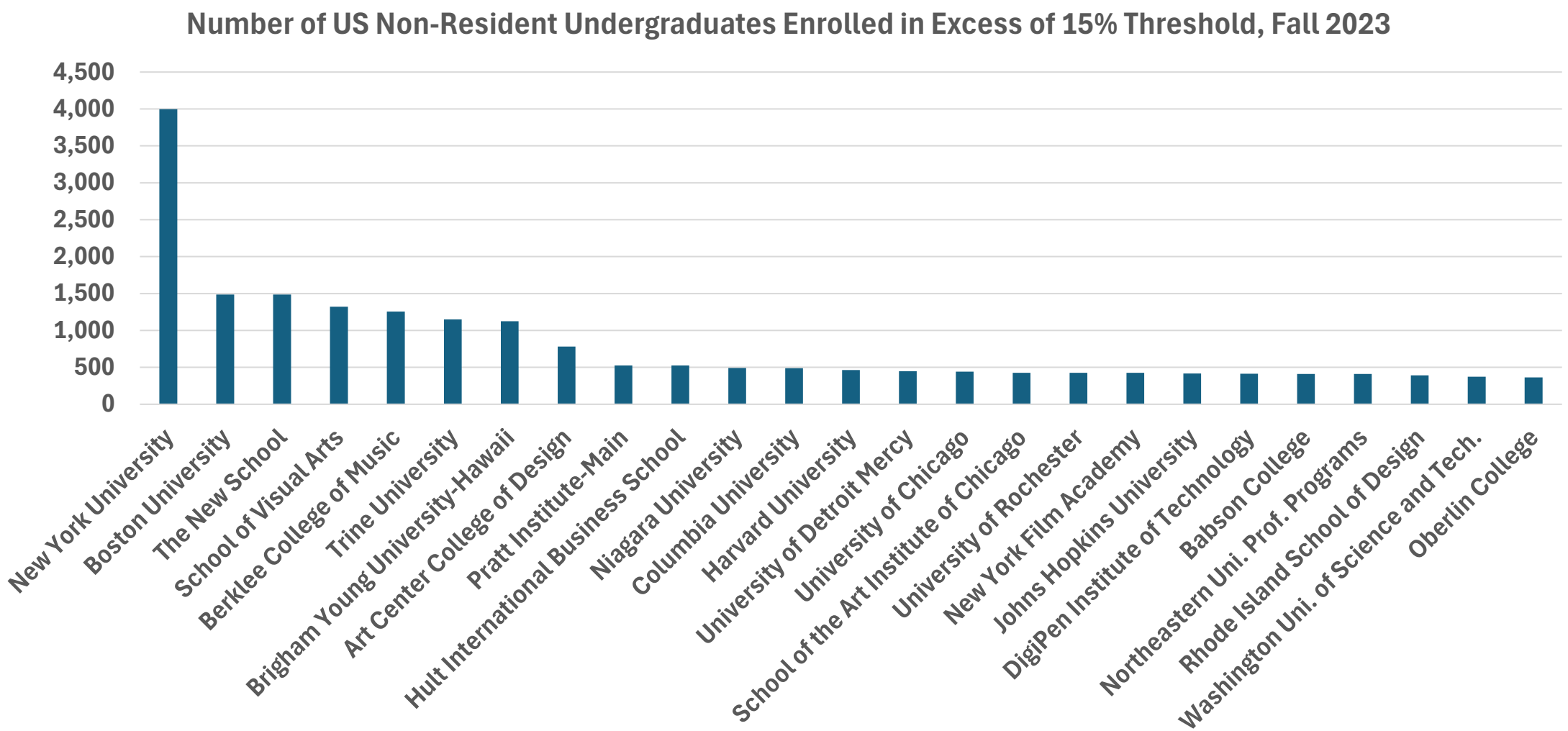
Major	# bachelor's avg/year	Unemployment Rate	# of grads unemployed/year
Animal and Plant Sciences	8,159	1.026	84
Civil Engineering	13,637	1.048	143
Aerospace Engineering	5,349	1.397	75
Earth Sciences	3,675	1.457	54
Mechanical Engineering	31,323	1.529	479
Engineering Technologies	10,323	1.939	200
Chemical Engineering	8,756	2.024	177
Electrical Engineering	14,324	2.15	308
General Engineering	2,789	2.409	67
Environmental Studies	10,806	2.582	279
Miscellaneous Physical Sciences	7,475	2.829	211
Biology	55,727	3.04	1,694
Miscellaneous Biological Science	17,739	3.069	544
Biochemistry	7,272	3.282	239
Geography	2,034	3.323	68
Miscellaneous Engineering	21,825	3.375	737
Mathematics	12,267	3.748	460
Industrial Engineering	5,328	4.641	247
Miscellaneous Technologies	1,947	4.983	97
Information Systems & Management	30,620	5.604	1,716
Computer Science	47,854	6.056	2,898
Chemistry	9,424	6.093	574
Computer Engineering	9,167	7.538	691
Physics	5,786	7.769	450
TOTAL			**12,491**

Therefore, no more than 15 percent of a university's undergraduate student population shall be participants in the Student Visa Exchange Program, and no more than 5 percent shall be from any one country.

At the Average Institution, 2.1% of All Undergraduates Are US Non-Residents



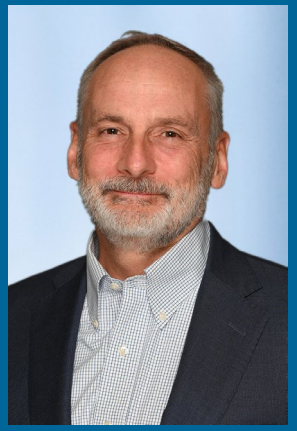
Enrollment of US Non-Resident Undergraduates Exceeds 15% of All Undergraduates at Only 2.2% of Institutions



Final Thoughts

Douglas Hallward-Driemeier
Partner
Washington, D.C.
T +1 202 508 4776
Douglas.hallward-driemeier@ropesgray.com

Stephen D. Sencer
Counsel
Washington, D.C.
T +1 202 508 4688
stephen.sencer@ropesgray.com



Jessie Brown
Executive Vice President
jbrown@acenet.edu
(202) 939-9372

COGR

Poll Everywhere

Pollev.com/cogrstaff949 Ask a question from your seat!

COGR