All of us here, our schools, and our association, are focused on artistry and teaching. Each year when I see all of us together, I am reminded of an important fact. We, our students and faculty, and our institutions constitute one of the greatest forces for the art of music in the United States, and in the world.

Today, however, current events cause me to speak with you about our legislative context, and our responsibility to nurture it in support of our work in artistry and teaching.

Last year at this time, we faced the darkness of a federal threat to the independence of higher education institutions and accrediting organizations with regard to academic decisions and educational content. These storm clouds had been gathering for a long time, and it appeared to many that there was no force that could keep them from being permanently stationed above our heads and delivering freedom-destroying lightening bolts in perpetuity. We faced the prospect of a wasteland of sameness haunted by a predatory bureaucracy. Today, although the threat remains, the sky is not as dark. As we go into this season, we have special reasons to be thankful and hopeful—thankful, because the Senate and the House have produced protective legislation that has a chance of final passage; hopeful, that recent experience has educated a critical mass of decision-makers to the danger of substituting content with assessment, resulting in critical changes in the fundamental structure of higher education, and threatening the productivity and creative advance of our nation.

With regard to all this, let us think together briefly about where we are now, what we have learned, and what we must do.

**WHERE ARE WE NOW?**

At this moment, we have in hand a reauthorization bill for the Higher Education Act approved several months ago 95-0 by the U.S. Senate. As of Thursday, we also have on the table a proposed reauthorization bill from the House Education and Labor Committee. This will be the basis for full House action. After House action, the Senate and House versions will be sent to a House and Senate Conference for melding into a final bill. Remember, no legislation is law until it has passed both Houses of Congress and has been signed by the President.

That is the process. What is the relevant content? The Higher Education Act is hundreds of pages long. It deals primarily with funding programs. It also has a section on the federal relationships to accreditation. The attack on the independence of institutions and accrediting organizations came through interpretations of, and proposals about this section.

At present the Senate and House revisions of the accreditation section contain language that directly and clearly prevents the Secretary of Education from regulating or writing regulations concerning accrediting agency standards with respect to student achievement curricula, faculty, facilities and equipment, fiscal and administrative capacity, recruitment and admission (including transfer of credit), program length, objectives of degrees or credentials, and several other academic and administrative items. If this language and the idea behind it can be preserved to
enactment, the independence of institutions and accreditors is reaffirmed; higher education and the American people will have gained a huge strategic victory. The dark prospects will have been diminished in a critically important sector.

Beyond accreditation, there are many problems with the current Higher Education Act and with the two reauthorization bills. For example, under current proposals, the federal reporting burden for institutions is almost sure to grow. There are provisions, proposals, and new amendments about accreditation that we oppose, and we will continue to work for changes in those areas. But the most critical thing now is to preserve the current strategic victory for freedom and independence in academic decision-making.

WHAT HAVE WE LEARNED?

First, we cannot abandon critical foundational principles, even when many others appear to be doing so. NASM and other specialized accreditors never acquiesced to adverse conditions or claims that federal control in academic matters was inevitable. The American Council on Education didn’t either. We worked for four years to counter such ideas. Eventually, others began to join us, at first tentatively. Later, determination grew. Now, the spell of inevitability has been broken, and our forces are growing.

Second, we must be organized and stay organized in advance, within music, the other arts, and among specialized and professional accreditors. We must have a working base of consensus on the national level about who we are, what we do, what we stand for, and what we expect of ourselves and others. There is not time to put all this together when crisis arises, or to build a track record of philosophical and operational integrity that others will trust. We have to do this all the time to be effective in critical times.

Third, we must work from a content and principles foundation. Public relations techniques are important, but to be effective we have to stand for more than our image or our convenience. We have been successful in the Senate and in the House so far because we were able to demonstrate incipient abandonment of legal principles derived from national values, and connect enough dots to communicate the level of danger that this posed to the national interest. This is why we have a 95-0 Senate vote, a bipartisan miracle these days. As long as higher education dealt with the issue as a technical debate about assessment, it lost. When it began to deal with the issue in terms of grand principles of academic independence, it began to win.

WHAT MUST WE DO NOW?

First be grateful that 83 years ago, our field began to build the capabilities we have today in NASM, that our counterparts in other fields did the same, and that now we and other fields are in position to work effectively together and with others in higher education. Let gratitude be a force for building even greater cohesion and mutual support.

Second, recognize that the ideas we have fought against in this current legislative and regulatory battle are not going to go away, even if the proposed statutory protections we have discussed become law. The struggle transcends party politics. The battle is fundamentally about ideas. What is higher education for, after all?

Third, recognize that other challenges are just ahead including reauthorization of the Elementary and Secondary Education Act, which includes No Child Left Behind Legislation, and battles over
tax policies affecting the future of the non-profit sector. These too are likely to challenge foundational values.

Fourth, we must develop our abilities to explain what we do, how we improve and change, how we evaluate, and why our fundamental approaches work. President Sher spoke eloquently yesterday about the necessity of becoming better at this for our art. We must also make the same effort in terms of policy. NASM has joined others to produce resources that can support such an effort. The new Achievement and Quality Web site is a prime example.

Fifth, we must continue to be ready to act when called upon to do so. Your responses prior to Senate action last summer were critical to success. We may need your help on short notice with the House, Conference, and Presidential action stages of the Higher Education Act. Study, prepare on the issues. Be ready, but be patient.

Sixth, we need to answer the challenges of our time with new levels of achievement and artistry. We need to show the way forward by example. Over the last few years, the NASM membership has considered and revised the Association’s standards. With this foundational work accomplished for the present, there is a deep need to take the most careful look we have ever taken at what we are doing at every level, and in every area. We need to do this, not because we have failed, or are wrong, but because we can always raise what we do to higher levels. Surely, this will lead to reaffirmation of some things, and change others at individual, institutional, and association levels. We ought to think of ourselves as seasoned, successful performers, rethinking a work we have performed to acclaim for many years. In taking this look, we must let our artistry and creativity lead us more than our naturally American sense of pragmatism.

Artistry, creativity, mutual effort for good, individual vision, the highest aspirations for beauty and aesthetic achievement – powers of darkness can obscure or hamper them, but history shows that nothing can stop them.

Let this be true for us.

Let this be true for us in our time.

Let this be true for all the people in our great nation.

Let this indeed be true for all people everywhere.