seven years have passed since the enactment of the Higher Education Opportunity Act of 2008, the last reauthorization of the Higher Education Act (HEA). To be technical, we are now two years overdue for a regular-order reauthorization of the HEA, and will probably limp along on annual extensions for a few more years before a full-fledged reauthorization. The ever-lengthening cycles of formal reauthorization are, among other things, a reflection of the growing complexity of the underlying legislation. It may well be that the traditional five-year timeline for a comprehensive review is no longer tenable, and that formally recognizing a longer cycle would bring our aspirations more in line with the reality of congressional practice.

While such a shift could help all stakeholders with a more deliberate and evidence-based policy development process, the fact is that many—and perhaps most—significant higher education policy shifts have been reactive or expedient changes to the law that were enacted when convenient through unrelated legislative vehicles. Most of these didn’t go through a committee fact-finding or hearing process, and were either necessitated or justified on the basis of exigencies rather than well-considered higher education policy. Examples include the Clinton-era introduction of direct lending and the Obama implementation of 100 percent direct lending, both of which were enacted through the budget reconciliation process.

Budget reconciliation, a rarity a few decades ago, has become the vehicle of choice for substantive policymaking for two reasons. First, unlike virtually all other legislative action, reconciliation bills are subject to a lower legislative threshold of simple majority—as opposed to a 60-vote requirement—in the Senate. Second, as massive efforts to control expenditures, they provide ample opportunity for radical budget-driven policy changes, but they can ironically also spend huge sums of money by hiding the expenditures behind unrelated savings. Examples of significant budget-driven policy changes in the name of federal savings include the elimination of year-round Pell and the imposition of lifetime eligibility caps on Pell and subsidized loan recipients, while the SMART grant program and the elimination of the 50-percent rule (which ushered in a decade of for-profit excess on the Internet) stand as poster-children of spending billions of dollars through a reconciliation bill in early 2006. Reauthorization or no reauthorization, higher education policy has been—and presumably will be—made over time, sometimes through inaction, at other times through minor evolution, and occasionally, in amazingly disruptive spurts.

Despite the inevitability of incremental change, a thematically focused strategic reauthorization, one that systematically identifies national problems and offers credible policy solutions, should continue to serve as a paradigm. While the issues that confront higher education are numerous, the following makes for a good short list of the most urgent problems that need to be resolved.

College Costs and Educational Debt

The story of higher education over the course of the past 30 years has been the inexorable rise in real college costs, a phenomenon that has been made all the more problematic by
stagnating wages for working families. The gap between the two trend lines has been filled by vast amounts of educational debt, which now exceeds $1.3 trillion. The bulk of the debt represents amounts borrowed by students attending public institutions, who are taking out loans to cover costs once underwritten by the states. The state privatization trend has its own internal causalities—including decisions about the size of state revenues and choices regarding priority expenditures—but it has been made possible by the wide availability of student loans for families who have to pick up its tab. The political reaction to this observable dynamic has been characteristically contradictory. Fiscal conservatives have offered up privatization as their proposed solution to this national challenge: eliminate student loans and allow investors to finance upfront college costs through “Income-Share Agreements” that would entitle them to a percentage of each student’s future earnings. That this modernized variation on colonial-era indenture contracts could, under any reasonable scenario, substitute for a pragmatic federal policy on access strains credulity, but it does provide a convenient fig-leaf for advocates of privatization and disinvestment. The other alternative, strongly supported by AASCU and a number of other policy players, focuses on crafting a federal policy that engages the states and keeps them integrally involved as a financial partner with families and the federal government in financing affordability. This approach is gaining broad support, and would rank as the association’s top priority for any legislative effort to address issues of access and affordability.

Accreditation Reform

Not only is higher education under public assault for its seemingly incessant cost increases, the quality of its outcomes are also increasingly suspect. The decades-long processes by which institutions collaboratively assured academic quality and institutional improvement are partially misunderstood, partially subverted by bad actors and overbearing federal requirements, and partially obsolete. Student advocates point to catastrophic failures, particularly in the for-profit sector, as evidence that accreditation doesn’t work. At the same time, others—some overtaken by an irrational exuberance for novelty and others by the prospects of minting a fortune through innovative disruption of higher education—argue that accreditation is a barrier to high-quality, low-cost alternatives to collegiate education. As with most complex issues, there may well be elements of truth to both critiques, but sorting them out in a responsible and thoughtful manner will surely have to be one of the most challenging problems for the next reauthorization.

Data, Analytics and Information

For all of the massive amounts of data collected from institutions, very little by way of truly actionable information is disseminated to the public and to prospective students and their families. The “improved” scorecard unveiled by the administration in lieu of its proposed “ratings” system illustrates the inherent difficulty of boiling as multifaceted an experience as higher education down to a few unambiguous data points. While much of the emphasis in the debates leading up to the next reauthorization will presumably be on collection of more data, equal attention should be placed on meaningful analysis of data. Dumping 171 megabytes of (zipped) data on the public—what NPR rightly labeled a “data dump of epic proportions”—is no substitute for publicly actionable information. Congress will have to do a better job of formulating the information practices that inevitably serve as the real context for the choices students make about where to attend college and how best to pay for it.

The three policy topics above are by no means the only vexing issues facing higher education. The scope of institutional discretion with regard to diversity, issues related to campus safety and prevention of sexual violence, the federal role in teacher preparation, and the basic terms and condition of the federal financing are other important reauthorization topics, each of which could easily take up a stand-alone bill.

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