

# Transcript: Reexamining the Federal Role in Higher Education: A Book Talk with Dr. Rebecca Natow

03:05

I do see that we're starting to be joined by a few colleagues. And I want to be respectful of everyone's time, including yours, Rebecca. So we're gonna go ahead and get started. And just to begin, I would welcome if you're comfortable. If you are not multitasking in the background, if you want to have your camera on, that'd be great. No pressure to do so I know that Zoom can be exhausting. But we are going to make this a conversation tonight. So with that, I will start by introducing myself. I am Allison Griffin, I'm a Senior Vice President with white board advisors. We are a social impact agency largely operating at the intersection of entrepreneurship and innovation and public policy. And I co lead our post secondary education practice. I am based right outside of Boulder, Colorado. While our firm is based in Washington, DC, I'm in the greater boulder area and have had the pleasure over the last two years making creating I guess more of a silver lining with our pandemic period and have the opportunity to bring authors of books focused on higher education, post secondary education, workforce policy and practice, together with our audience, mainly in the in Colorado and the western part of the US. But as we've expanded our

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our cohort of author contributors, we have actually built pretty significant momentum with attendees around the country. So with that, I would love to introduce our guest author, contributor, Dr. Rebecca Ney Tao, Rebecca, thank you so much for joining us, you serve as an Assistant Professor of Educational Leadership and Policy at Hofstra University. And you are the author of a new book entitled re examining the federal role in higher education, politics and policymaking in the post secondary sector. And I have found you to be an incredible higher education policy expert, you have an extensive background researching federal policies and regulations. And I know today you're going to spend some time answering a few questions that I have both about some of the subject matter in the book, but also asking you to crystal ball a little bit on what you have learned about the history of post secondary education in this country. What might that mean as we look forward, particularly in the policymaking realm.

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So thank you, again for joining us. I know you and I will spend the first portion of this conversation, just doing some q&a. And then I would invite our guests, participants, come with your questions. We want to again make this a conversation a give and take feel free to put some questions in the chat or the q&a and also

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See if I can weave those into our conversation. But if we don't get to them, then I'll, I'm, I guess I'm going to practice my, my faculty member role, and I will call on you. So

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if that's fair, so, but why don't we just get started? By first question, just off the bat is what prompted you to write this book? What prompted your interest in higher education policy? Yeah, thank you. That's a great question. And first of all, thank you so much for inviting me. I'm very excited to be here. Thanks for everybody to come for coming tonight. What prompted my interest in in federal higher education policy? Well, this really goes back to my days as a graduate student. When I was a graduate student, I was working on some funded projects that our some of our faculty had received funding for. And that mostly involves state level policy and in particular performance based funding policies at the state level. So doing a deep dive into those policies and how they were originated, the politics surrounding them how they got implemented on the ground. When I was looking for a dissertation topic, I wanted to do something that was different from that. So one, one way that I wanted to do something different was to look at a different level of government. And so I settled on the federal government, because my prior life before I went to graduate school for education, was that I was a lawyer, I had gone to law school, right after undergrad practice law for a few years, and then went back to school to study education. And so I had that background in the law. And so my interest in constitutional law and sort of the federal law of education was pretty prominent. So with that background, and with the idea that I wanted to do something at the federal level, started thinking about what could I do for my dissertation, what could wind up being my dissertation topic, and I noticed I was doing some reading of current events in higher education policy, and I noticed that there was something called Negotiated Rulemaking, and I didn't know a whole lot about it at that point. For those of you who don't know, negotiated rulemaking is the is the process that federal agencies use to come up with the language of a proposed rule. Not every agency uses Negotiated Rulemaking because it's a particular type of process that involves bringing the stakeholders into conversation with the agency. So in the US Department of Education, that means different associations that represent different types of institutions, institutions, associations, representing, for example, financial aid administrators, student advocates, and consumer advocates, representatives of state governments, all the stakeholders in federal higher education policy would be brought to the table with the Department of Education to sort of hammer out the language of the proposed rule. Back when I was looking for a dissertation topic, there was a lot of talk in the policy community. And I noticed a lot of advocacy organizations really spending a lot of time and money and energy trying to influence this process. And lawyers were talking about it. So my background in law really came in handy there. But I didn't see a whole lot of scholarly research on it. So this was something I wanted to explore for my dissertation and ended up working out it became a really interesting dissertation topic, and very unique because there wasn't, as I said, a whole lot of research on on rulemaking in the higher education sector and specifically negotiated will make since then, it's only become more prominent. We've seen, we saw some Negotiated Rulemaking that just wrapped up last week, there was a lot of rulemaking that happened during the Obama administration, and then during the Trump administration and out during the Biden administration. So it's something that people are becoming more aware of. And it's it's incredibly important, because executive action, those policies that get made in the executive branch are becoming increasingly important. So that really started my interest in federal policy. Then when I became a faculty member at Hofstra University, I wanted to expand on my research on the federal government and higher education, mostly because I was looking for a text that I could assign to my students in a course I teach on public policy in higher education. And I couldn't find any book length, volume, but really focused on the federal government's role in higher

education. And at first I thought, Why is there no book on this? And then I thought, Oh, I could write that book.

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So that's where this that's where the idea for my book originated. And I I, you know, follow through, and I wrote the book. So that's, that's why we're here tonight. Love that. So not to? I mean, I guess I will put you on the spot a little bit. And

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I'm curious what year were you in graduate school? Like what? What was happening in the world in post secondary education? To this interest? Yes. Text? Yeah. Yeah, that's a good question, too. So I started looking for this topic. I think it was around 2008. So it was an election year. It was also the year of our last reauthorization of the Higher Education Act. And there had been some rulemaking going on related to the college cost reduction and Access Act, which I think did pass the previous year. It's interesting because you asked about the policy content

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And I saw one of my former professors in law school, I went to Georgetown. And so, you know, in Washington, DC, so there was a lot of interest in sort of policy making among the faculty and one of my professors at Georgetown had been posting on the internet, everybody needs to send comments into the notice and comment period, you can still influence the rules. So because I recognize that faculty members name, and I knew it was something to do with higher education policy, that's what first got my attention. And that's when I started hearing more about negotiated rulemaking and really

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seeking out, you know, what was this? And what did it involve? And why is why are all these interest groups, so interested in influencing this process, and really devoting a lot of time and money to this? And that's how I got got interested in what was going on very different policy context than we have right now. lately? Well, I would say my interest in federal policy started back in, I'm going to date myself, but you know, 1999, and when I was pursuing my master's degree in higher education, and then came to Washington around 2001. So even that those that precursor, you know, seven years, which actually all of that legislative and regulatory work led to that 2008 reauthorization. So I was curious, just from a collegial standpoint, like where our paths had crossed in that timeline?

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Because I think back to issues that we are still talking about today, and things that came through in your book that we were debating in 2001, yes, 21 years, we have essentially been having the same conversation. And I will get into this, but I think, you know, that's something that we can all remember, when it comes to how a bill becomes a law. This is not the process that we all learned about in grade school civics. It actually takes almost a generation to see a statutory language. So that's right. We'll get into that. But um, so jumping to the My next question, so through your research and your work, how has the federal government's role in higher education changed over the last few decades? Yeah. And so that's a really insightful question, too, because a lot of times people will point to sort of the middle of the 20th century, as the time when things really began to change for the federal government and higher

education. And that is true, there was a lot of a policy change happening in the mid 20th century that really expanded the federal role. But you're absolutely right, there was another turn in the relationship between the federal government and higher education that happened just in the past few decades, really beginning around the 1980s and continues to this day. So to understand that journal, first talk about what happened in the mid 20th century. So right around the time of World War Two, this is where the federal government really began to partner with higher education. Why was that? Well, because of the war, the federal government needed a lot of research. And there were a lot of universities that had researchers on their staff and researchers on their faculty who could conduct the research that would help aid in the National Defense during the war. So that began a relationship of funding between the federal government and higher education, the government, providing funding for university based researchers to conduct all this research and development that would be useful to the federal government in the war effort in the national defense. As World War Two came to a close, the federal government partnered with higher education once again, as part of the GI Bill, for when the veterans were returning from World War Two, to help get them acclimated back into civilian life. And so the GI Bill had a number of components, but one of the most prominent one ones was the education benefits, which provided education,

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funding for G eyes for veterans returning. And there were also some housing benefits as well, and some other and some other benefits that came along with the GI Bill. But what the GI Bill did was it had the effect of greatly expanding higher education in the United States, and bringing just a real influx of federal money into higher education. Again, it was a partnership, it was beneficial for both achieving the federal government's goals. And for higher education, they got resources, and they got to expand and we saw a lot of new institutions of higher education be created as a result of that. And then during the Cold War, the partnership continued, because, again, there were university based researchers that were doing research that the federal government was funding to help to help with Nash, various national defense issues. There was also after the launch of the Sputnik satellite. A lot of federal policymakers got nervous and said, We're falling behind. We need to really invest in education and specifically, higher education in science fields, as we saw the enactment of the National Defense Education Act, which provided funding, again, research but also for students and we saw a very early form of the student loan program through that through that bill, so there was a part

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ownership there, this was a mutually beneficial relationship, again, the federal government was was saw higher education as useful in achieving its goals, its policy goals, its national goals, and higher education was benefiting from that relationship and from the resources that they received as a result of the partnership.

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So then, things started to change, we saw the Cold War come to an end, late 1980s, early 1990s. So the National Defense

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priority was not as front and center as it had been during World War Two. And during the Cold War era. We also saw at the same time, higher education become increasingly necessary for upward social mobility and to obtain jobs that had a high earnings potential. And there was also just a national mood at the time that became more skeptical of public agencies and what was happening with with federal dollars with taxpayer dollars. So there was just more scrutiny on you know, what's happening to this money, we want to make sure that the the agencies and the organizations that are receiving the taxpayer dollars are actually putting them to good use and not wasting them.

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So it was it was sort of that confluence of contexts, that led to a change in that relationship. And so it became less of a partnership, and more of an accountability relationship, the federal government wanting to really scrutinize what is higher education doing with this money.

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At the same time, I mentioned, higher education became more, more necessary for upward social mobility and sort of the financial and social benefits that come along with getting a post secondary education. So the public began to view higher education, not as a public good, where you have a high, you know, a highly educated populace, and that's good for all of society. Less than that perspective, and more in the perspective of it's a private benefit, the student who goes to college is getting, you know, the benefit from receiving higher education. So that again, fed into the perspective that this is not something that we should be spending our federal dollars on unless we can scrutinize that it's actually we're getting a good return on investment. And the money is being used in a good way and being used efficiently to to achieve the goals that, that the students who are attending higher education are hoping to achieve. At the same time, the price of college grew astronomically. So in the 1980s, early 1990s, there were cases of, of student loan debtors who are defaulting on their student loans. Some of them were, you know, high prominent cases, high profile cases. And so there was, again, this, this relationship of accountability, we want to make sure that if these institutions are getting students into debt, and are taking those federal dollars, that the students are in a position to pay off those loans and not default on them after they graduate from college. So what we saw was a change in that relationship. And it's resulted in very different policies. So now we see the federal government really looking at accountability. In recent years, we've seen for example, the gainful employment rule, which has gone back and forth, depending on who's president at the time. And we can talk about that as well. Why that happens. But but essentially looking at career focused higher education programs that receive those title for funds from the federal government, federal financial aid funds, and are they are the students getting that return on the investment. So it's really about accountability for those career focused programs, mostly in the for profit hired, but not exclusively, also in some nonprofit and public institutions as well. The borrower defense to repayment rule was another one, if institutions were found, to have misled the students and getting them to, to take on the student loan debt, students might have a defense to repaying those loans. So that's another one that's come out, and has gone back and forth, depending on depending on the presidential administration, but it's another one that has come out in recent years. So there's much more of a focus on accountability right now. And much less of that partnership where the federal government and higher education have those shared goals. Absolutely. Thank you. That is such a rich and important history. I appreciate you walking through that. And I can imagine that just even that that snippet of an answer will be helpful, not just for our audience today, but

for those who are tuning in later on to really understand what's happened over the last few decades. So we, I'm going to shift just a little bit and you alluded to it in your answer, but we often talk about the triad. So the states, the federal government, our accrediting agencies, how does that triad work together? And where has the triad actually clashed in recent past? And I don't know, maybe just this clash, potentially require a reevaluation of that triad? Yeah, really great question. So the triad, as you said, is, is made up of three components. There's the US Department of Education representing sort of the federal government component there. There's the state governments, and then there's the accreditors. And the purpose of the triad is basically they call it the programming

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Integrity, try it. And the purpose of it is to make sure again, that higher education programs that are receiving those student financial aid funds have a solid program, they have a program that is going to meet standards at the state level and meet accreditation standards. They're not participating in any activities that could be seen as defrauding students. And they're, they're producing an education that the students can actually use. And that they'll be able to get a job, when they finish, be able to pay back their student loans, they're getting a return on their investment. So it's that accountability that you see, coming to the fore with the triad. Interestingly, the triad has existed since the very beginning of the Higher Education Act back in 1965. But it was really strengthened in 1992, and the 1982, reauthorization, and again, that's falling in that timeframe that I was talking about, where things really began to turn into a relationship of accountability. And what's been interesting is, the triad has not worked so efficiently, not certainly not as efficiently as Congress has maybe intended when it first really strengthened the triad in 1992. What happens is that, for example, the states are a component of that of their component of the triad. Well, we've got 50 states, and every state has its own standards for authorizing higher education institutions, some of those standards are really rigorous. I did another study, where I looked at state authorization policies, and some states require so much from institutions to get authorized in the state, others don't require that much at all, it's more of a pro forma matter. So there's a great discrepancy between what states are going to even require for their part of the triad.

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There's also a question of, of the creditors and who's holding the creditors accountable. And so there's a lot of there's been a lot of talk in recent years about how the Department of Education can hold the creditors themselves to high standards. And there's also been a reluctance, quite frankly, of any component of the triad to really hold institutions

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to any sort of sanction any sort of severe penalty, if they are falling below the standards. There's just been a reluctance nobody sort of wants to go first. Count you on that. I feel like that's, that's accurate in the nonprofit context. I text my observation. And I would love just for your reaction, and perhaps our audience can chime in as we get into our our broader discussion. But I feel like that the triad has challenged components of the tribe have challenged institutions whose tax status may be for profit, right? So those same principles, you're presenting some degree of parody of those principles to the nonprofit sector may not be as as equal as what we've seen in the for profit context. Yeah, no, I'm glad you brought up the for profit context, because you're right that a lot of the rulemaking that we've seen from the the federal component of the triad, the US Department of Education has been targeted at sort

of those, as I mentioned before, those career focused higher education programs, which are largely, though not exclusively in the for profit sector. So yes, there have been, I would say there's been a lot of accountability coming out of the Department of Education that does focus on on those career focused programs, which yes, do happen to be a vast majority of them do happen to be in for profit institutions. And

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I'm sorry to interrupt you, I was even going to say the department's own scrutiny of a creditor, she talked about the Department report holding creditors accountable. Right. Um, my observation two has been that the scrutiny of accreditors that are operating in the for profit education, space, approving those programs or your institutions have also received a little bit more scrutiny. From that. I always say, you know, accountability body for creditors at the National

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was National Advisory Commission. Is it advisory committees? No quality and integrity, integrity? There you go. acronym, alphabet soup a little bit, but, um, I didn't mean to derail you, but I just, I was thinking about that, that difference between the for profit and not for profit, and the tax status and how we've seen policy shaped perhaps in a little different way, when we talk about it through the lens of of non or for profit? Yeah, no, I think And so you mentioned the sequence. So this is an advisory body that basically provides advice to the Department of Education on which accreditors they should recognize, but at the end of the day, it's the US Department of Education that gets to decide whether they're going to take that that advisory committee's advice. And,

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you know, one important shift in higher education policy that we've seen recently is depending on who the president is, and what administration is sort of in power in the Department of Education, we've seen a very different policy on

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for profit, higher education. So, for example, during the Obama administration, that was when the gainful employment rule was first issued. There was there were other policies coming out of the Department of Education at that time that were scrutinizing mostly the for profit sector.

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Much more heavily during those years, during the Trump administration, a lot of that was was modified, the gainful employment rule had been repealed, and there was a modification of borrower defense. There was there were differences in the recognition of accrediting agencies during the during the Trump administration. And now we're in the Biden administration. And we're seeing more of a going back in the direction that the Obama administration had had been with more scrutiny of the for profit sector. So I do think what I was gonna say before was like the states are different, you know, some states are going to have different standards for for profit institutions, some states are going to hold all institutions to the same standard. So it's really a mixed bag with the states. But with the federal government, I do agree that depending on which presidential administration is in power, you're going to see the policy that is coming out of the Department of Education, reflecting the President's view, on on

for profit, higher education, and I am those career focused higher education programs. Absolutely. And I perhaps we can save this discussion, too, for our exchange with the audience. But I, it just makes me think about this budding discussion around learners and talent, and connecting education and employment. And while that is not the sole purpose of post secondary education, it seems like that's becoming more of a focus for policymakers. But we're bumping up against now that that accountability, right, of providers that have largely played in that space, and that career and technical education, training, you know, job preparation, labor market preparation.

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And for decades, we've been holding them to a little bit of a a, I would argue a different standard. And so it's, it seems like there's some tension that's brewing right now sort of where we need to go as a country, but then where the policy

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rules and guidance and regulations are actually, you know, how they're, whether they're supporting or not supporting those institutions. So, yeah, an interesting dynamic. It is interesting, and it's, it's, it's, so one of your questions was, you know, sort of what does the future hold? And I don't see the accountability role

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going away anytime soon, I think the federal government's role in holding institutions accountable for their outcomes, and for things like you were describing, you know, job placement and returns on investment and things like that. I think, if anything, we'll see that roll strengthened. And and I do expect that it will expand beyond beyond the for profit sector, at least more so than than it has right now. I do think

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the federal government will be more willing to expand those accountability policies and cast like a broader reach across different sectors of higher education in the future. Yeah, have that crystal ball,

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come back in a few years to this conversation? Right about that. I know, I always say if I had a crystal ball, I'd have a different job. So

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we'll see if that happens. So I want to also just I want to shift a little bit and talk about the enrollment cliff, admits the pandemic, the enrollment cliff, declining high school graduation rates, largely because of birth rate declines, the affordability crisis, like what do you perceive to be when you put all those things together? What's next for the federal government in terms of support for learners? In particular? Yeah. So I think, you know, as I mentioned just a moment ago, I think accountability is a big part of that I think the federal government will will sort of strengthen its accountability role will continue to scrutinize higher education institutions, as the cost of college education continues to increase. More students are going to have to take out loans to help pay for college. And that's just going to strengthen the federal government's role in oversight and in accountability. So I definitely think that's a big part of it. But

another part of it, which is related to accountability, and you said it just a moment ago, is the issue of affordability. So in doing my research, I would ask people in the policy community what what are the biggest issues right now and in the foreseeable future, for the federal government? What are the big policy issues that need federal attention? And by far and away the most frequent response that I got to that question was affordability.

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The price of college tuition has escalated. It doesn't appear to be leveling off.

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Going down anytime soon, and students are increasingly needing to take out loans to pay for to pay for college. There's also you mentioned the sort of so called demographic cliff of having fewer 18 to 24 year olds in the population, and that's the traditional college going age. So colleges are going to have to figure out how they're going to fill their seats, how they're going to meet their enrollment targets, and how they're going to get that tuition revenue. If there are fewer individuals who are that traditional college going age in the in the population. At the same time, a lot of state governments have not increased their investment in higher education. As time has gone on, and it's been in the cost of living, the cost of operating business has increased, there hasn't been an investment at the state level in public higher ed to sort of keep pace with that. So all of these things are pointing to maybe the price of higher education is actually going to get higher. And this is a problem, because it's all we already have a situation where people cannot afford college. So I think the federal government, which has had traditionally played that role of providing student financial aid, since you know, since before the Higher Education Act, there was there was student financial aid, and it only expanded after 1965. How is the federal government going to address the affordability issue, because that's an issue that is not not only is it not going away, it's becoming more and more significant as time goes on. In addition to that, and this is also something that's related to, to Affordability and Accountability is our issues of equity in higher education. So making sure that institutions, that it's not only is higher education affordable, but that it's equitable. This includes issues of racial justice, diversity, non discrimination.

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It includes federal policies, such as Title Nine, such as the Americans with Disabilities Act. So the federal government traditionally has played a large role in enforcement of civil rights and protecting individuals against discrimination. So the federal government will continue, I believe, to play a large role in helping to ensure equity in higher education as well. Yeah, absolutely. I think, you know, when I, when I contemplate the future of post secondary education, I think about it in that context is academic opportunity beyond high school. And so to ensure that we are being both inclusive of a variety of pathways, but more importantly, a whole host of learners. from different backgrounds and different populations. I feel like our system has been built in a very narrow context. And right now, we have the opportunity to really expand our collective thinking as a country as a federal government to ensure that all learners have that opportunity. And I know, you know, one of the one of the ways to get there is by from a procedural standpoint of reauthorization of the Higher enact. And you mentioned earlier in your comments, you know, the last time the higher ed Act was reauthorized was 2008. And I think even in our pre conversation to this book, talk, no, both reflecting on the fact that we have young learners at home, and may not have even been born in 2008. And so the law that even our kids are living under

does not reflect who they are as modern day learners. Yes. So what do you think, you know, our higher education biggest challenges, in light of the delayed reauthorization of the federal statute that essentially governs

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policies under which they operate, and all of all of the title for financial aid programs, for example, which is an enormous amount of resources for higher education?

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It's so it's it's difficult to say, we haven't had a reauthorization, as you mentioned since 2008. But those title four programs, for the most part have continued on there hasn't been a disruption to students being able to get for example, their Pell grants or their their direct loans from the from the US Department of Education. And the reason for that is because they're sort of appropriated, funded on, you know, a congress to Congress basis as opposed to having one big reauthorization to reauthorize everything at once. So there isn't this sense of urgency around reauthorizing the Higher Education Act? I think it does. It does create some difficulty around long term planning because things are sort of reauthorized on a on a shorter term basis, as opposed to one large reauthorization. So it does create some uncertainty with, you know, what does the future hold? But I don't think anybody in the federal government's willing to shut down the title for programs that would be that would be a major disaster for higher education and for anybody who wants to get a higher education in this country. So I think, you know, we're reasonably certain that those programs are going to continue to exist. So again, there's no sense of urgency

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See, a lot of the people who I spoke to who work in the federal government were saying, it's going to be a while before we see another reauthorization, because it's so hard to get anything through Congress now and a comprehensive reauthorization of the Higher Education Act is going to necessarily involve issues where you can't really get to bipartisan agreement, for example, anything having to do with Title Nine, we talked before about issues relating for profit, higher education. So those issues are not those are those are not bipartisan issues, either. And so there isn't this sense of urgency to see the ATA reauthorized. Some people I spoke to said that they don't think we'll ever see a full scale reauthorization of the Higher Education Act that they said we might see a mini one. But as we saw in the last Congress, even the mini HCA reauthorization was not able to get through Congress.

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So it does, it does.

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It does present some uncertainties, it hasn't presented real problems, because those those programs are continuing to exist. But I think there's there's something else that's going on here, which is, it really illustrates how difficult it is to get to get any major legislation passed to get any major federal policy changes enacted through Congress. And that, you know, that observation is not lost on on the higher end policy community, the association's the advocates, and they have turned their attention to things like the rulemaking process and the Department of Education, because a lot of federal policy is now

happening in the executive branch, because it's been so difficult to get to get legislation through Congress. So I think that's something that is going to it's become important in recent decades, it's going to only continue to be more important because as we've seen the presidency change hands just over the past, you know, 10 to 12 years, both federal policies coming out of the Department of Education have changed pretty dramatically back and forth, depending on on on who's president depending on whether we have a Democrat or a Republican president. So I predict that's another, you know, crystal ball prediction, I predict, that's going to continue as long as it's it's so difficult to get things through Congress. So interesting. I, you know, just, again, reflecting back to my own time in Washington, felt like I almost became a, I'm gonna say, like, I'm gonna use a small s, because I'm by no means a scholar, but sort of that that scholar, that student of statute, right, like I could, I knew what was in the 1988 statute, the 92 statute, the 98 statute right. Now, I feel like our our scholars or students of post secondary education history have to become students of regulatory change. Yeah, like really understand where the path leads on a whole host of regulatory changes, you can't just go back to the statute and say, No, oh, section 402. A don't look too different over these 1015 year periods, you're almost looking at those updates on an annual basis. And I think that creates, it almost creates a new

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subject matter expert, if you will, in the history of post secondary education.

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I find that even in the work that I do, you know, on a on a daily basis with clients, like I can tell you what was in the 98 statute, but I'm not sure I can tell you what was in the 2009 rule. Right. Right. Or the regulation that just came out last year? Because it's already changed, right? It's

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been revised. Absolutely, point. Yeah, lately. Well, I'm going to pause I just put in the chat, that we were going to open up for questions from the audience and no pressure. But I imagine some of you over the course of the conversation between Rebecca and me have had a couple of questions pop up. So I want to give the time to the audience. If you have a question, feel free to take yourself off mute. You're welcome to come on screen and ask your question. I know that I have a number of other questions lined up, but I want to certainly make this a give and take. Are there any questions across our audience this evening?

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I have a question. Austin, would you mind introducing yourself and just tell us where you're where you're coming from? Institution? policy organization, we'd love to hear your background? Yeah, my name is Austin. I'm a PhD candidate or D. Stern. I study higher education policy.

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First, thank you, Rebecca, so much for sharing this and Allison for hosting this. Appreciate this. I have two questions for you, Rebecca. The first one is you talked about in terms between switching administration's we see different policy changes and when you mentioned Trump and Obama, when you were your research when you're writing this book, did you see that happening in the past? Like

what comes to mind as I think of LBJ Higher Education Act? Was there like change between when Nixon takes office or is it

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more deferential, we'll let the Department of Ed kind of keep doing what they're doing.

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Yeah. So that's, that's a really great question. And of course, there's there's going to be differences in higher education policy from, from any, you know, from any president to from one president to another, especially if they're different political parties. But what I think is really interesting, because you gave the example of LBJ in the Higher Education Act. And that was that was legislation, right. That was that was a, you know, large piece of legislation was part of the great society initiatives. And there's a lot of education policymaking that happened during the Johnson administration, including the Elementary and Secondary Education Act and higher education. But they all been through Congress. So what what we're seeing now more recently is Congress's is, you know, less frequently passing major legislation. So it is coming through the Department of Education. So there are there changes from one president, presidential administration to the next. Absolutely. And that definitely goes back in history as well. It's just we're seeing the process, go through the executive branch now. And whereas they might have gone through the, the legislative branch in the past, and there was more higher education, I think it's important to keep this in mind, it was more of a bipartisan issue in the past than it is now. So for example, the even as recently as 2008, remember, that was we had a Republican president in 2008, and a democratically controlled Congress. So that was, that was, you know, passed during a time of divided party control. And and, you know, the the filibuster was still in effect back then. So he still needed to get to 60 votes in the Senate. So there was a level of bipartisan agreement to pass that massive piece of higher education legislation is the last time it happened. But it did happen, you know, as recently as 2008. So I do think I think that's an excellent question. Yes. There's policy change from one president to the next. Absolutely. But the process now is, it's happening to the executive branch much more so than in the past when it when it did happen more often. legislatively. Gotcha. Thank Thank you. And then my second question was, in in your research, have you is there like,

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like a big focal point, in terms of the federal government has done something in higher education, and schools have to kind of respond because when we talk about at the elementary level, we think of No Child Left Behind. And right now I'm teaching and education policy course. It's just focused at the K through 12 level. But one of my students was asking, and this is kind of the question that might, that I'm bringing up was, is there is something that that the federal government has done, and it's kind of coerced higher education institutions to do it in the way that, you know, No Child Left Behind kind of the? Yeah, that's a great question, too. I don't know if I can think of an exact

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analogy to No Child Left Behind. But I will say this, higher education is responsive to all of these federal policy changes. So when, for example, the gainful employment rule was issued. First, back in 2010, there was there was a moment of, especially in the for profit sector, but again, some of the some of the programs that nonprofit and public institutions had to respond to that regulation as well. So there was a

moment of we need to figure out what does this mean for our institutions? What are we required to do under the law, something like the guidance that was issued under Title Nine, the dear colleague came out during the Obama administration, the people I know as student affairs and said, you know, the back and forth with those, with those dear colleague letters, you know, one, one day they're issued, and you're having to go over all your policies and readjust your policies and retrain your staff. And then the Trump administration comes in, and they're withdrawn, and you have to change everything. And then now, now, it looks like the Biden administration might want to bring back some of some of those policies. So it's the sort of the back and forth with regulations and the guidance and how you know how higher education has to respond to it. I think during the pandemic, there were there was,

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there was a policy that going into the fall of 2020 semester, if there was almost a policy that international students would have to take their courses in person or at least one course in person in order to maintain their thesis. That was something that higher education responded to very quickly and very strongly and got the the Trump administration at the time to walk that back and not issue that policy. So. So I will say any sort of policy change is going to get a big response from higher ed, especially at the federal level. So I just had an epiphany moment because I think my questions or I'm thinking in terms of legislation so much, and I need to start thinking in terms of executive orders or rule changes. And then when you said the Dear Colleague letter, I'm like, Oh, my goodness, when I think of that, yeah, yeah. And the thing about the thing about the Dear Colleague letter is that's not even a regulation that was guidance, right, so they didn't have to go through. We talked a bit about the rulemaking process and all the procedures you have to go through a negotiated rulemaking

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bringing people to Washington to negotiate the language for guidance, the Department of Education just has to issue it. And technically, it's not technically it's not binding, because it's guidance. But remember, these are your regulators that are issuing the guidance. So they're the ones who get to interpret the regulations. So you would be wise to pay attention to them. And yes, they do change from one presidential administration to another. So thank you. Yeah, thank you for the question. Yeah, great questions. Do we have other questions from the audience for Rebecca? Or comments? Um, you know, jumping in and having an exchange on some of the things that that we have talked about?

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Pause for a second.

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Okay. So I have actually have a question

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that perhaps I didn't share with you in advance. So I will put you on the spot a little bit, Rebecca. But as you think about, you know, over the course of your research and your walk through history, if you could,

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with a magic wand,

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undo something that is currently in statute, instead, that was a let me say this across statute or regulation or a Dear Colleague letter, if you think that you could just wave a magic wand, you don't have to, you know,

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sort of bow to the will of Congress or the administration, you could just automatically undo? What would it be? Wow. Yeah, that's, that is an excellent question. And,

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you know, it's something that it's something that I, you know, want to be careful with, because one of the things that one of the things that I,

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one of the things that I've learned as someone who reaches research is higher education policies, there's always unintended consequences of everything. So, you know, so I always want to be mindful of, of policies that might be creating, creating problems for higher ed, whether it's creating more bureaucracy, creating more, more work, more paperwork more, you know,

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work for limited capacity staff, you know, people who are already doing the jobs have like two or three people now they have to do the jobs of four or five people because these new regulations came out. But the reason I'm hesitating to answer the question is because there's, there's reasons that these policies are being enacted. And so yes, they might be causing problems in terms of implementation, and nothing is ever implemented the way the exact way that policymakers envision, but there's also, there's also a reason behind the policy, there's always a reason for it. It's not just to make, it's not just to make people's lives difficult on the ground, the street level bureaucrats, so to speak it, there's a reason behind it. So it's really hard to answer that question, because I do think it's, you know, there's some policies that in retrospect, oh, gosh, you know, we should we should undo that one. And it's interesting, just because Austin mentioned, no college, No Child Left Behind. But there, there was a lot of, you know, there was a lot of positive things that came out of that policy as well. And there's a lot of, I think, policy positive and negative that come out of any policy. So I don't, I don't know, I don't feel like I'm answering your question. But really mindful of both the positives and the negatives when it comes to federal policies. I think that's that is absolutely a fair response. And maybe I'll flip it and say, if you had the opportunity to pen, a clarification, or a new approach to a policy that isn't currently on the books, yeah. Where might you direct your energy? Yeah, that's an excellent question, too. And I think, along the lines of affordability being a major policy concern for the federal government and all the implications for higher education equity that comes with the affordability issue, I think I would definitely want to take a look at policies that provide financial aid grants to students. So for example, the Pell Grant, other there's other smaller federal grants that that are out there, they're not as well known as the Pell Grant, they're often not funded, a lot of them are not currently funded. And I would want to see if there was a way that we could fund those currently unfunded grant programs and maybe even increase the size of them because I, you know, I know from the research that low low income students, first generation

college students, they're not likely to want to get want to go and take out student loans. But they would, they would perhaps qualify for the Pell Grant or for one of these other federal grants that don't need to be don't need to be paid back like a loan does. And that might expand opportunity in higher education. So as you know, as we see the cost of living increase, we see the price of higher education increased right now we're seeing the price of everything increase, right. And the the amount of funding that's directed to, to the Pell grants and to other sort of financial aid grants don't really keep pace with that. So I would like to see another taking another

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Looking at those programs and seeing if perhaps there's more we could do to keep those those funded into increase financial access to higher education. Excellent. Thank you. I didn't mean to put you on the spot. No, it's a great question.

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Think about that. I have one final question. But before I turned to my final question, does anyone else have a question for Rebecca?

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Okay, we'll leave the chat open in case you change your mind. But, you know, I, we started off this discussion about you what really prompted your interest in higher education policy. And I even reflected briefly on my own career path, I can tell you when I was, you know, 12, or 15 certainly never aspired to work in higher ed policy. But we do have young professionals, both on this call, we're going to have young professionals listening in at a later date. What is your advice to those who want to move or be more involved in federal higher education policy? Yeah, well, first of all, definitely get involved, definitely get involved. Because, you know, the, the, the federal government policy makers, they will respond, if they get if they see a lot of advocacy around an issue, if they're hearing from their constituents, there's going to be a response to it, they're not going to ignore a lot of policy advocacy, definitely get involved and make your voice heard. So one, one piece of advice I would have, because collective action and policy advocacy is very important. Take a look at the work that's already being done by for example, associations that are active in Washington, DC, other advocacy groups, there's so many out there, right now that I think you'd be hard pressed to find nothing, no advocacy group that isn't already doing work around the areas that you are interested in. So take a look and see what work is already being done. Find out how you can get more involved in in those associations. Some associations will have what they call a lobby day or Capitol Hill day or something like that, where they invite some of their members to go down to Washington, DC speak with legislators at the state level as well, I know I'm here in New York, we do have some associations that get people up to all the needed to speak with our state legislators. So get involved in ways like that.

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It's, you know, a collective action is important, it also saves you a lot of work, because there's people out there who are already doing the work that you want to be involved with. So join them join forces with them. A related point is that it's important to cultivate good relationships with people in the policy community. So attend events that perhaps your member of Congress or your state legislator is

attending and constituency events where you can get, you know, go there and speak to them and make your voice heard. Let them know what's on your mind.

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Again, joining these associations that already have these working relationships with policymakers is another way to cultivate those good relationships with people in the policy community. And third, take time to really learn how the policymaking process works. So when I first when I mentioned, when I first started looking at Negotiated Rulemaking, so many people didn't, were just not familiar with it, they never heard of it before. They didn't know what it was. They didn't know how they could be involved in it. And so take time to figure out, you know, what are the different ways that we can influence policy, whether it's at the congressional level or at the department of education level or at the state level, right? Figure out what you know, what it is that you want to see happen? Where in government, are they making policy in that area? And then how does policymaking work in that particular branch or that particular sector of the government.

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So learning about government and how policy gets made and how you can be an effective advocate is, is another recommendation that we get. Finally, you know, as somebody who conducts research and someone who works in higher ed, I'm a big proponent of people learning about how to conduct research and how to conduct assessments. A lot of times, not always, but often, having data with you when you go and speak to your legislator or your policymaker can be a persuasive argument. If you have, you can say the research shows, you know, this kind of policy is going to benefit students or it's going to, you know, increase positive student outcomes in higher education institutions. This particular funding for this particular type of intervention is really going to work and it's going to get us where we want to be in terms of colleges and college students and student outcomes. That's persuasive. Policymakers like to have studies that they could just point to and say, Hey, this is evidence based policymaking. So learning about how to conduct those studies and how to how to understand them and how to present them to policymakers. I think it would be another very useful skill. Fantastic. I will say your fourth point, your fourth point of advice resonates the most with me as a former Hill staffer, having worked for a member of Congress, I would just add, make sure the member of Congress has that study the

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research that you've been doing that evidence based work, but also make sure the staff gets that research because oftentimes

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little known secret, you know, you I always say our country is run by people under the age of 35. Because you have all those staffers who work for members of Congress, you know, for our house representatives, for our senators for our committees, who are fresh out of college, perhaps graduate school, they may be experts in one topic, but their portfolio includes many, many issues. And the more they can connect directly with individuals who are doing research subjects, that they're responsible for staffing they're their boss on, the better. So don't forget, don't forget the staffers. They're actually the key to making sure the member gets the information. So yeah, that is such a powerful piece of advice.

Yes. Thank you, Alison. Because you just reminded me of another piece of advice I have, which is meet with the staffers meet with the your legislative staffers, your congressional staffers, I interviewed people who were congressional staff when I was researching my book, and they told me, it makes me so sad to know that people think that, you know, they don't We don't want to meet with them. We definitely want to meet with that. We want to hear from the people who work on the campuses, we want to hear from the students. Talk to the staffers because, you know, as Allison said, they're the ones who are doing a lot of the of the work and they are willing and happy to meet with you. They want to hear from you. So smoothly. Yes. Oh, my gosh, such powerful advice. Thank you so much. So I, I know we're coming right upon time. And I would love Rebecca, for those who have not yet read the book. They just got a Cliff's Notes version. But I will step in and say You all must read Rebecca's book, she touched on a handful of key themes and topics. Thank you for putting it in the chat. I know those of you. You want to support a fellow faculty member, a fellow researcher, a fellow scholar, and please consider picking up Rebecca's book, sharing it with your colleagues and friends. And definitely, you know, we'll keep the the lines of communication open with the group that joined us tonight. If you have additional questions or thoughts to share with Rebecca, I would encourage you to do that. But Rebecca, I can't thank you enough for joining us this evening. Really appreciate your insight. Oh, you're very welcome. And thank you so much for having me. And thanks for all of your very insightful questions. It was a great conversation. It was a great conversation. Well, everyone be well, we will have another book talk coming up. In April, everyone who joined us this evening, you will be added to our booktalk list. And so we'll notify you of our next discussion and hope that you can come join us. Everyone be well take care. Thank you again. Thank you. Good night. Good night. Thank you.