

Reading Reauthorization: Lessons for Tomorrow in Yesterday's Debate

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Abstract

Urban and metropolitan universities should continue to track legislative efforts to reauthorize the Higher Education Act. However, there is much they can learn from observing the discussion this legislation has engendered, for this discussion has revealed an array of attitudes that bode ill for universities. So as to do everything possible to ensure their continued effectiveness, they must take such attitudes seriously and mount credible, persuasive responses to them. This essay identifies many such issues and proposes pragmatic responses.

In the spring of 2004, Congressional consideration of the eighth reauthorization of the Higher Education Act generated considerable rhetoric but did not result in legislative action. With the end of the 108th Congress in fall 2004, HR 4283 and all other pending bills expired.

Since the adoption of the HEA in 1965, the stakes of reauthorization, which is required every six years, have always been high. Because the HEA provides for federal student aid and regulates higher education in other ways, its influence on higher education creates an attractive opportunity for political gain. Yet until 2004, sponsorship of successive, comprehensive reauthorization bills and support for them had always been bipartisan.

In January 2003, nearly 50 higher education associations that anticipated the advance of legislation in 2004, joined to send nine broad recommendations to Capitol Hill for consideration relative to HEA legislation. The associations called for:

- Increased grant aid and support for early intervention programs
- Improved terms and conditions of student loans
- Reduction in the regulatory burden on colleges and universities
- Enhancements in international education
- Increased support for graduate and professional students
- Improved teacher education
- Improved public access to information on colleges and universities
- Enhanced technology
- Improved awareness about the value of higher education and the availability of student aid.

On May 5, 2004, leaders of the Committee on Education and the Workforce in the House of Representatives introduced the College Access and Opportunity Act (HR 4283). Although the bill incorporated a number of the concerns identified in the

January 2003 letter from higher education associations, it did not for the most part address them according to the recommendations it had received.

Three weeks later, on behalf of the American Council on Education and 46 other higher education associations, ACE President David Ward wrote the sponsors of the legislation, Rep. John A. Boehner, chairman of the Education and Workforce Committee, and Rep. Howard “Buck” McKeon, chairman of the 21st Century Competitiveness Subcommittee. In the three-page letter, Ward offered support for several of the initiatives in the bill but expressed deep concerns about others.

Among the “many positive features” of the bill, according to Ward, were a proposed reduction in fees charged for the origination of student loans, a modest increase in limits on student debt, an increase in the earning allowance for dependent students, an expansion of educational access for active duty military, and an extension of the Pell grant program to cover summer sessions. In all, Ward commended 12 of the bill’s elements.

But the concerns Ward cited were also substantive. He cited an “enormous regulatory and reporting burden” in “30 individual new reporting requirements.” Speaking of the bill’s provisions on accreditation and the transfer of academic credits, he charged, “This bill comes close to making accrediting agencies administrative arms of the Department of Education and to federalizing the transfer of credit.” He expressed regret that the bill, rather than increasing the maximum Pell grant, would distribute available funds to many more institutions. A 13-page “list of concerns and suggestions for improvement” follows.

On June 23, 2004, Reps. Boehner and McKeon responded to the ACE letter and to other suggestions they had received by writing directly to the nation’s college and university presidents “to ensure . . . access to the facts about this important legislation” and to ask that they “work with us to send a bill to President Bush that reflects our shared priority on what is best for students.” They described their legislation in terms of five broad goals:

- Expand college access without expanding the deficit.
- Support traditional institutions while providing equity for non-traditional schools.
- Ensure parents and students have the information they need to fully exercise their power as consumers in the higher education marketplace.
- Ensure parents and students have an abundance of affordable, high-quality options when they set out to choose a school.
- Urge schools to be accountable for closing the achievement gap between disadvantaged students and their peers.

Taking direct issue with “claims made by lobbyists,” Reps. Boehner and McKeon argued that their bill would not impose “significant new reporting requirements,” would eliminate the campus-based aid formula “gradually” rather than at once, would provide no mandates for transfer of credit, would increase access to accreditation

information without enhancing the federal role, would protect anti-fraud requirements in the distribution of federal student aid, and would create no “academic content requirements that colleges and universities would be expected to meet.” As for the distribution of federal student aid to institutions not eligible in the past, the congressmen defended their intent to create “an even playing field on which all eligible schools can compete for funding to serve their students.”

Authorization of the Higher Education Act expired on September 30, 2004. Congressional observers predicted that the benefits it provides would continue at their present level pending introduction in spring 2005 of legislation that might closely mirror HR 4283 or differ considerably from it. The election in November 2004 was expected to prove highly influential in this regard.

The consequences of the failure to act were not inconsiderable. Of most concern, federal funding for student aid was at best to continue without increase at its established levels, offering needy students not even a correction for inflation. But some observers who had expressed serious concerns with the proposed reauthorization bill found the bill’s expiration preferable to its passage. For instance, on July 6, 2004, Rep. Betty McCollum observed to the *Minnesota Daily*, “We are better with the status quo than the Republican bill.”

That was not the end of the story, of course. For one thing, consideration of a new reauthorization bill was in all likelihood only deferred to the convening of the 109th Congress in 2005. But far more important for urban and metropolitan university leaders than this postponement was what the legislation and subsequent discussion revealed about the political landscape their institutions face. Through consideration of the recently suspended debate, we can infer issues of concern likely to persist long after legislative action is complete. Each deserves the attention of urban and metropolitan universities, and each invites a response.

Why Aren’t More People Smiling?

Thomas Jefferson wisely grounded the creation of the University of Virginia on the premise that publicly funded higher education would enhance the public welfare, i.e., the “publick happiness.” His “Bill for the More General Diffusion of Knowledge” argued that a society of laws “wisely formed, and honestly administered” must rely on individuals whose liberal education has rendered them “worthy to receive, and able to guard the sacred deposit of the rights and liberties of their fellow citizens.” In contrast to higher education’s legacy of privilege, Jefferson insisted that such education should be made available to capable individuals “without regard to wealth, birth or other accidental condition or circumstance” (Writings, NY: Library of America, 1984, 365). Repeatedly, both in official documents and in letters to friends, Jefferson argued that the institution he proposed, “broad & liberal & modern,” would be “worth patronizing with the public support” (“Letter to Dr. Joseph Priestly,” Writings, 1070).

Arguably, no institutions today more fully express Jefferson's ideal than urban and metropolitan universities. With their commitment to the development of public leadership, their impact on urban redevelopment, their concern with regional economic growth, and their capacity to enhance the quality of individual lives in and around the metropolis, they confirm in all they do the ideals declared by Jefferson.

Today's debates on higher education have taken a different turn, of course. As state support for public universities has declined and as society has shown itself increasingly willing to accept wide disparities in economic status and access to opportunity, emphasis has fallen increasingly on the individual benefits higher education offers its "consumers." Though clearly established even in economic terms, the broader advantages for society in publicly supported higher education have received little attention. While it should not be surprising that it is becoming increasingly difficult to win public support for a more generous investment of public funds in higher education, the lack of such support bodes ill for public higher education's financial challenges and, more importantly, for a society that depends on well-educated individuals who reflect its diversity and make its laws.

Urban and metropolitan universities can and should make a stronger and more determined case with regard to the economic, social, and ethical values they are serving. In Jefferson's language, they should celebrate their contributions to the "public happiness" not only by documenting their contributions to individuals, but by taking more seriously their responsibility to document their value to society as a whole. In such a campaign, they should enlist and support authoritative advocates outside of the academy who can speak to the particular importance of higher education for urban and metropolitan areas. A particularly appropriate practical tactic may emerge from the unrealized potential of a familiar claim by urban and metropolitan universities that their cities and metropolitan areas are their "campuses." To enact such slogans, they might loan student and faculty works of art to lawyers, merchants, civic officials, and other professionals, thereby creating a metropolitan-wide "museum without walls." A university string quartet might entertain harried travelers standing in airport security lines. Professors could make their expertise more broadly available to civic organizations, public officials, and community events. Universities could stage university events, cultural activities, athletic contests, and university meetings far more broadly throughout the community and open the doors to their neighbors. And, in addition to trustees and advisory boards, urban and metropolitan universities might well include many more representatives of their communities in university planning and decision-making.

Shouldn't Higher Education Enjoy the Attention?

Urban and metropolitan universities stand in the front lines of a dramatic change in public expectation. Access to their institutions is becoming less a planned-for opportunity than a claimed entitlement. Indeed, one goal of the proposed legislation was to "ensure parents and students . . . an abundance of affordable, high-quality options" (Reps. Boehner and McKeon, June 23, 2004). There is some good news in

this, in that long-standing efforts by urban and metropolitan universities to educate their publics to aspire to a college education have clearly borne fruit. But, as a result, issues of cost, student success, and credit transfer are enjoying unprecedented visibility and the strong political charge evident in discussions of the HEA. If urban and metropolitan universities had not become so important to so many, they would not find themselves challenged so directly to do more with less, to accommodate an increasing and increasingly challenged student body, and to provide a far broader range of public services despite decreasing state support.

Urban and metropolitan universities have a particular right to celebrate how readily and effectively public higher education has responded to dramatic increases in public expectations. And as they document how extensively the landscape of higher education has shifted, they can explain the matchless values students find in the educational experiences they offer. But at the same time, they owe their constituencies an honest, even blunt reminder of the extent to which public expectations of higher education confer an obligation of support on the public. They might even want to find language to remind their supporters of the truth in the aphorism coined by Oliver Wendell Holmes, Jr. that now graces the IRS building in Washington: “Taxes are what we pay for a civilized society.”

What’s Wrong with “a Level Playing Field?”

Urban and metropolitan universities have a particular appreciation for a student body that is becoming older, increasingly part-time, and more single-mindedly focused on specific career objectives. These universities, in concert with community colleges and regional campuses, offer access to students who share a dedication to learning, a clear sense of objectives, and, often, a lack of resources. While more generous recognition by Congress of the needs of these students would be good news, the intent of the legislation proposed in the spring of 2004 to create a “level playing field” for all institutions could disadvantage urban and metropolitan institutions in particular and erode the credibility of federal student aid programs.

In his introduction to HR 4283, Representative Boehner defined “more fair and equitable” aid programs as those “phasing out unfair advantages given to older, more well-established schools” (Congressional Record: May 5, 2004, Extensions, E755-E756). Specifically, a proposal in the legislation to strike the “90/10” and “50-percent” rules sought to extend federal student aid to students enrolled in for-profit institutions unable to meet the current standards for eligibility. If this intent were eventually to find its way into law, no longer would such institutions have to receive at least 10% of their revenue from nonfederal sources, nor would they any longer have to offer at least half of their programs on a campus. Because the immediate effect of such legislation would be the distribution of limited federal student aid dollars to many more institutions, students at urban and metropolitan universities might well find their access to such aid reduced. But discontinuing even these minimal quality control standards also could invite the problems that prompted the rules in the first place. In the early 1990s, escalating defaults on student loans cast a shadow on all of higher education. However,

federal efforts to restrict aid to students at reputable institutions worked, with the result that the default rate fell sharply through the 1990s.

If fraud were to reoccur following a relaxation of the rudimentary standards now in place, all of higher education once again could suffer. And the record of recent legal action directed against the for-profit higher education sector does not inspire confidence. Class-action lawsuits, accreditation warnings, actions by the U.S. Department of Education and Department of Justice, and state actions suggest widespread concern about the accounting practices, recruiting techniques, and quality control commitments of such institutions (*Chronicle of Higher Education*, Oct. 8, 2004, A29).

Urban and metropolitan universities' students who have most to gain from the educational opportunities they provide have most to lose from what may paradoxically appear in the legislation as recognition of their needs. As urban and metropolitan universities clarify for their students and their communities the practical consequences of a broader dispersal of student aid resources, they might also recall for their constituencies and their legislators the scandals that prompted the current standards. It may also be pertinent to point out that the emphasis in this legislation on a "level playing field" may not be unrelated to an unprecedented lobbying effort, characterized by substantial financial contributions to those developing and supporting the legislation. At a time when every student aid dollar is vital, the delivery of such aid to institutions relying entirely on federal funding or on the delivery of education solely at a distance deserves thorough consideration.

Must Urban and Metropolitan Universities Once Again do More With Less?

Perhaps paradoxically, references to dramatic increases in tuition at urban and metropolitan universities and other public institutions seldom have emphasized the principal culprit in virtually every instance: dramatic, easily documented reductions in state aid. In a hearing on July 10, 2003, Representative McKeon, who was later to co-sponsor HR 4283, chided institutions of higher education: "They say, 'We are doing a great job and should do nothing more, just send more money'" (108th Congress House Hearings, July 10, 2003, Serial No. 108-24). The bill he sponsored, described as one embodying a bipartisan commitment to the expansion of educational access, offered some important reforms, as the ACE letter noted, including the extension of eligibility to summer session students. And subsequent discussion of the bill did in fact prompt calls from both sides of the aisle for limitations on future tuition increases. Eventually, both Presidential campaigns were to offer proposals for expanded access ("Kerry and Bush on Higher Education," National Association of College and University Business Officers letter, September 9, 2004). What these various positions have neglected is the indissoluble linkage between what public universities receive in state support and what they must charge students in tuition and fees. To the contrary, the impression that has been given is that federal legislators of both parties will continue to expect colleges

and universities to absorb somehow the effects of stagnant student aid levels, inflationary pressures such as health care, and the budget-cutting actions of their often term-limited statehouse colleagues.

Urban and metropolitan universities can document more assertively a compelling story: how their success in cutting costs has significantly ameliorated the effects on urban and metropolitan students of severe reductions in state funding. They should tell that story in some detail especially to the corporate and civic leaders who are in a good position to understand and appreciate it, and they should enlist these allies in developing a broad public appreciation for how much has been accomplished in this regard. Even more to the point, urban and metropolitan universities must continue to emphasize the substantial return on investment in higher education, both for states and for individuals, even when tuitions must increase. There is also the need to make certain that public misconceptions do not compound the problem. Urban and metropolitan universities must ensure that those planning for higher education do not assume that costs are higher than they, in reality, are.

Is Accreditation Broken?

If Congress does not grasp the distinctive strengths within the American tradition of decentralized peer evaluation, the progressive evolution of accrediting practice could be reversed. Rather than emphasizing the particular mission of an institution and the value-added education it provides, accreditation might be forced to return to a more uniform and less sensitive approach. In its initial response to HB 4283, the Council on Higher Education Accreditation expressed “concern and alarm” and charged that the legislation “would authorize major governmental intrusion in matters of academic quality in higher education” in order to “federalize the quality assurance of higher education” (*CHEA HEA Update*, 9, May 7, 2004). Just a few days later, Peter McGrath, president of the National Association of State Universities and Land-Grant Colleges, wrote the sponsors to express the view that “the bill seeks to make accrediting agencies agents of the Department of Education” (May 26, 2004).

Not so, responded Representatives Boehner and McKeon. Rather than imposing “a new federal role for institutional oversight,” the bill was intended “to enhance the role of accrediting institutions as vehicles for providing consumer information.” Such information would in turn expand the “quality options” for families in their higher education choices, thereby “empowering consumers” (June 23, 2004).

Whatever the proper interpretation, urban and metropolitan universities could find themselves at a particular disadvantage if institutional mission, resources, and the capabilities of entering students were no longer to be taken into account through the accreditation process. Such institutions have created their important niche within a diversified higher education environment by providing commendable levels of added value for students while addressing the challenges created by inadequate student preparation and insufficient institutional resources. Such elements are not distractions

from effective assessment, but critical elements in accurate and responsible measures of learning outcomes.

Similarly, if a more highly regulated accreditation process were to require far broader public disclosure of accreditation findings, resulting arbitrary comparisons could in fact mislead the public regarding higher education choices. And if the assurance of confidentiality that encourages broad peer participation in the process were removed, the critical judgments essential to the integrity of accreditation might well be far more difficult to obtain. Again, the public could find itself at a greater disadvantage.

Urban and metropolitan universities should track and support the efforts of the Council on Higher Education Accreditation to articulate the values of accreditation practice in higher education. They should play a role in the effort to educate legislators, at both state and federal levels, on these issues. Similarly, they can more visibly lend their support to accrediting associations (both regional and specialized/professional) in the shift from a primary concern with “inputs” (volumes in the library, number of faculty, and so forth) to a focus on “outputs” or results (for instance, success of graduates on certifying examinations or in seeking employment) that takes institutional characteristics into account. In short, urban and metropolitan universities should work with accrediting agencies actively to promote the benefits of an academy-wide shift toward assessment that focuses on results while taking institutional characteristics fully into account. Urban and metropolitan universities can make clear the high level of accountability colleges and universities already meet through internal program review, state-level guidance, and the oversight offered by boards of trustees. And they should support the premise of HB 4283 that the public should be more fully educated with regard to accreditation process itself and the ways in which universities use its findings to create stronger institutions.

Who Teaches the Teachers?

Testimony and commentary occasioned by consideration of the HEA suggests that urban and metropolitan universities may well face an emerging challenge as they continue to educate educators for the nation’s most critical and most highly challenged schools. Specifically, discussion of the HEA has revealed the assumption that what has been asserted as good for the K-12 goose should perhaps be applied to the improvement of the higher education gander. It is true that efforts to reshape the HEA to reflect assumptions within the No Child Left Behind Act of 2001 have been roundly criticized. Writing in the *Journal of Curriculum and Pedagogy*, Jacqueline Hall and David McCabe find in NCLB “an assault on public education that strips away the most basic of democratic principles” (“Curriculum and Pedagogy in Southern California,” 1.1, Summer 2004, 47). But Representatives Boehner and McKeon describe their call for “a single definition of higher education” as a means of bringing “equity into the system” (June 23, 2004). Whatever the outcome, calls for performance accountability, irrespective of demographic or mission driven differentials, are likely to increase.

The leveling of higher education according to a single definition also increases the likelihood that sharply dissimilar paths to competence may come to be regarded as functional equivalents. Indeed, that trend is already clear in the stated determination of the Department of Education to promote “what was once simply a way of dealing with shortages in key areas [as] a new model for teacher preparation . . . a significant contributor to the supply of teachers” (Secretary Rod Paige, “Meeting the Highly Qualified Teachers Challenge,” June 2003, Department of Education). If Gresham’s Law remains in effect, the appeal of ill-considered “fast track” programs could develop into a significant threat to the necessarily demanding programs offered to future teachers by urban and metropolitan universities colleges of education.

Urban and metropolitan universities must acknowledge their responsibility to address teacher shortages through more innovative and efficient programs that preserve the quality assurance standards long honored by traditional programs. At the same time, they should draw on their urban and metropolitan research to provide public assurance that teacher shortages, while acute in some particular areas, do not justify the expedience of superficial, curtailed programs. Critical to such an effort is a more effective explanation to the public of the value teachers take from their professional education. An increased emphasis on subject area competence must not prevent our acknowledging the increased importance of pedagogy for a teaching force facing unparalleled challenges in the classroom.

Why is it that Research Receives Too Little Respect?

Those who recall Senator Proxmire’s “Golden Fleece” competition, which ridiculed research deemed arcane, wasteful, or ill judged, may find that spirit alive in the halls of Congress. But there is growing concern with the protocols of federal funding even within the academy. The *Chronicle of Higher Education*, whose writers document every week the substantive accomplishments of university-based research, refers in a September 26, 2003, table describing institutional allocations to “academic pork.” Even the beneficiaries of earmarked federal funding appear uncomfortable. An October 19, 2003, article on federal funding in the *Eagle*, which serves the Texas A&M community, bears the headline, “A&M corralling academic pork.” Similarly, an article in the September 24, 2003, issue of the *Cavalier Daily* (University of Virginia) declares, “Congress sets record in education ‘pork.’” There are two concerns suggested by the opprobrious term. The first is that funds earmarked for a particular project escape the Congressional appropriations process and the scrutiny that accompanies it. The second is that this part of the federal budget has grown dramatically in the past decade, from 128 institutions benefiting in 1996, to 716 in 2003, and from 215 earmarks to 1,964.

Urban and metropolitan universities must articulate the practical values of research conducted by America’s colleges and universities and the particular contributions research at urban and metropolitan universities make to the nation’s metropolitan areas. One pragmatic technique in this regard is the tagging or branding of research results so that their practical implementation will offer a conspicuous positive

reflection on a sponsoring institution. Another is clear, appealing translation of research activity and results to promote public understanding. The scholarship and creative activity pursued by faculty members at urban and metropolitan universities contributes significantly to the quality of metropolitan living. Urban and metropolitan universities should not allow that to be forgotten. In the pursuit of this part of their role as regional education, urban and metropolitan universities must not defend only applied research, however. Technology transfer, workforce development, and the creation of products and services are vital, but institutions of higher education depend for their vitality and continued creativity on basic research as well. Beyond the many tangible benefits that have emerged from work undertaken without explicit pragmatic objectives, basic research offers an environment for creativity and disinterested investigation without which discoveries likely to shape the future are unlikely to emerge.

Is it Time to Challenge the Myths?

“Universities operate far less efficiently than most businesses.” “Faculty members are overpaid and under-worked.” “General education is something to get out of the way.” “The term ‘student athletes’ is an oxymoron.” So say some legislators. So think some people. Although such myths embody misunderstandings, inaccurate information, and, sometimes, willful antipathy, those who embrace them have an audience, and that audience may regard higher education’s response as expressing self-interest.

Urban and metropolitan universities must listen for and identify the myths that shape opinion, take them seriously, and mount credible and conspicuous efforts to defeat them. Their students and their families, and shapers of opinion must be led to understand not just issues such as faculty workload, how students spend their time, and how resourceful and efficient colleges and universities have become, but also the role urban and metropolitan universities play in offering educational opportunity, developing cities and metropolitan areas, and contributing to the quality of life. These institutions must not be reluctant to document their cost cutting, their ability to do more with less, or the real sacrifices that are being made in the face of declining public support. Urban and metropolitan universities must find opportunities to acquaint their constituents with the commitment of their faculty and the focus of their students, fighting anecdote with anecdote where necessary. They have an interest in defending the value of a liberalizing education for all students. And they should take the opportunity to educate their communities on the values lived by student-athletes, co-op employees, and campus leaders. In addition, they should encourage their advocates among journalists, corporate leaders, and legislators by making available to them the information they need when they need it.

Can We Expect Relief on Compliance Measures?

It is a truth universally acknowledged that legislators lacking funds to allocate must be in want of additional regulations to impose. Hence, introducing HR 4283, Representative Boehner identified as “chief among our principles for reforming higher

education . . . the need to increase accountability Be it adding transparency to college costs or adding sunshine to the accreditation process, the bill will give consumers access to significant new information . . .” (Congressional Record: May 5, 2004, Extensions, E755-E756). Later, in a July 13, 2004, hearing, he argued for imposing new demands on colleges and universities in response to “troubling signs that [they] aren’t accountable enough to the students they serve” (House Committee on Education and the Workforce, July 13, 2004). As we noted earlier, the claim that the proposed legislation would offer “no dramatic new reporting requirements” was challenged by the Council on Higher Education Accreditation’s citation of “extensive new reporting requirements on an institution’s learning objectives for each program, its transfer of credit policies, and extensive annual statistics on transfer rates, new data on student outcomes, and a major new 10-part ‘College Consumer Profile’” (CHEA HEA Update, No. 15, July 22, 2004). Yet even beyond the demands implicit in such legislation lies the likelihood that the negotiated rulemaking that typically follows passage of any bill could impose additional reporting requirements. If the consequences of such additional requirements were limited to an expansion of the workload of already stretched urban and metropolitan universities staff members, who would be sufficient cause for concern. But the greater concern is that a significant increase in compliance reporting would require the further reallocation to bureaucratic mandates of assets desperately needed for investment in institutional effectiveness: freshman seminars, undergraduate research, deferred plant maintenance, and the replacement of retiring faculty.

Already, public universities dedicate resources to governmental reporting that might be directed (perhaps more profitably) to teaching, research, and service. As a point of departure for questioning the need for increased reporting, they should document the extent of the current reporting requirements. Few organizations face more scrutiny from more directions than universities, and the public should understand that. Here, too, promoting broader appreciation for the integrity of regional and professional accreditation, for the extensive reporting required by state agencies, and for the uses to which internal reviews are put might strengthen the argument against additional federal regulation. But as Representative Boehner has suggested, universities must also become more responsive to the public’s need for information that can support responsible evaluation of choices in higher education. The time has come for institutions to take the initiative by finding out more fully what kinds of information would be most useful to the public and by making such information far more readily available.

Who Would Oppose “Diversity?”

Section 103 of HR 4283, titled “Student Speech and Association Rights,” would have required that universities attest to a “diversity” of views on their campuses. On the face of it, the interest that “diverse viewpoints be promoted to ensure the Supreme Court’s standard of viewpoint neutrality” would appear innocuous, if not commendable (Boehner and McKeon, June 23, 2004). However, as the National Association of State Universities and Land Grant Colleges has observed, “the spirit of this language, for example, would require a university to give an opportunity for those who deny the

existence of the Holocaust to present their views because the university offers courses that teach about the horrors of the Holocaust (NASULGC *Newsline*, 13.6, June 2004, 7). Advocates for Creation myths and theories of intelligent design might also claim equal time.

There may be no more critical distinction for contemporary society than that between inductive reasoning, which begins with evidence and proceeds to disputable hypotheses, and deductive reasoning, which begins with premises (e.g., faith-based convictions, historical assumptions, etc.) and proceeds to conclusions. The most important challenge facing public institutions of higher education may well be the effective articulation of this distinction as a guide to what universities may and may not teach. Beyond this formidable challenge, however, urban and metropolitan universities might do a far better job in acquainting the public with the remarkable diversity of views and information to which they are hospitable.

What Else?

This article offers only a selective view of current discussions regarding higher education. For instance, in HR 4283 there also were provisions that would have sharply increased government oversight with regard to transfer of credits, discouraged the exercise of institutional discretion, and have required instead the development of detailed, voluminous criteria for the evaluation of credits earned through any number of courses at any number of institutions. Behind this concern stands a legitimate public interest in the transferability of credit, to be sure, for idiosyncratic, illogical, and unnecessarily restrictive policies on transfer thwart the progress of thousands of mobile students each year. But aggressive efforts within states to secure greater transferability together with a broader institutional commitment to fair and transparent policies should address the problem over time. Then there was the proposal to “level” higher education by creating a single definition for all institutions. Such a measure could extend eligibility for federal assistance to thousands of institutions now managed according to discrete categories and, as in the relaxation of the 90/10 and 50/50 rules described above, spread limited aid over a far broader field. Perhaps the most notable issue is the one conspicuous by its absence, in that there appears to be insufficient support for a significant increase in the maximum Pell grant. Because this bedrock of federal student funding offers the most direct encouragement for broader student participation in higher education, its alignment with the “public happiness” could hardly be clearer. But inflation has already reduced the impact of the Pell program, and further reluctance to enhance the aid it makes available could over time marginalize its effectiveness.

Even as we acknowledge the weight of these and other issues, we must also concede that such issues can hardly compete for the public and Congressional attention with concerns such as Iraq, the increasing deficit, homeland security, and tax reform still on the front burner. That could be a good thing, from one perspective, in that recent debate suggests urban and metropolitan universities may be unlikely to benefit from legislative innovation regarding higher education. But the press of such compelling

world and domestic issues also could discourage close scrutiny of critical elements in proposed legislation and allow their perfunctory adoption.

Without becoming melodramatic, urban and metropolitan universities should take advantage of their natural constituencies in order to make the simple but profound case that the future of the nation is directly linked to a vigorous, independent, differentiated, integrated, and well-supported system of public higher education. Political leaders, who understand the public as well as the private value of higher education, deserve their bipartisan support.

In Closing

Urban and metropolitan universities will doubtless track legislation providing for the reauthorization of the Higher Education Act. They have too much at stake to do otherwise. But if their scrutiny extends only so far as the halls of Congress, they are overlooking a larger and in some ways more important forum, that of public opinion. What discussion of HEA legislation has revealed so far is an array of attitudes that bode ill for urban and metropolitan universities. If such institutions are to do everything possible to ensure their continued effectiveness they must take such attitudes seriously and mount credible, persuasive responses to them. Only by so doing will they serve those who have contributed to the proud record they have achieved and those who stand in greatest need of what they have to offer: their students and their communities.

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