

United States of America National Higher Education Equity Policy

Governance

Who is responsible for defining national policies in higher education?

- United States Department of Education
 - [Office of Postsecondary Education](#)
- United States Congress:
 - United States Senate Committee on Health, Education, Labor and Pensions
 - United State Representatives Committee on Education and the Workforce
- State General Assemblies
- State Higher Education Agencies:
 - State Commissions and/or Systems of Higher Education
 - Led by an Executive Officer or Commissioner
 - State or University System Boards of Regents and/or Trustees

Higher Education Policy Documents

What are the current official documents defining the national higher education strategy / policies?

- Higher Education Law
 - Higher Education Act of 1965, with reauthorizations in:
 - 1968
 - 1972: Basic Education Opportunity Grants (or BEOG, now known as Pell Grants) established
 - 1976
 - 1980
 - 1986
 - 1992
 - 1998
 - 2008
- [Negotiated Rulemaking for Higher Education](#)
- White House Executive Orders (Ex: [Executive Order Establishing the President's National Council for the American Worker](#))

- Dear Partner/ Colleague Letters and other [guidance documents](#) issued by the U.S. Department of Education
- Title VI of the Civil Rights Act of 1964 defines race and national origin discrimination
- Title IX of the Education Amendments of 1972 defines discrimination on the basis of sex

Equity Policy Documents

What broad and specific equity objectives do the policy documents identify?

- Higher Education Act:
 - Does not explicitly seek to address equity;
 - Defines and provides appropriations specifically for Minority-Serving Institutions, including Alaska Native and Native Hawaiian-Serving Institutions, American Indian Tribally Controlled Colleges and Universities, Asian American and Native American Pacific Islander-Serving Institutions, Hispanic-Serving Institutions, Historically Black Colleges and Universities, Native American-Serving Nontribal Institutions, and Predominantly Black Institutions.
 - Provides funding for Federal TRIO Programs and other student services programs designed to identify and provided services for individuals from “disadvantaged backgrounds.”
- The topics of Dear Colleague Letters depend greatly on the priorities of the Presidential administration and the leadership of the United States Secretary of Education, Thus guidance documents can vary and change between administrations.
 - As of 10/10/18, the current Department of Education has not issued any Dear Colleague Letters or guidance documents that broadly or explicitly provide equity objectives.

Which equity target groups are identified in the policy documents?

- Low-income students
- First-generation students
- Racial/ethnic minority populations
- Students with disability

Does the country have concrete targets for the participation of specific equity groups?

- Not federally
- However, individual states have developed attainment and participation goals for priority populations to the state (e.g., African Americans, Latino/Hispanic, American Indian, veterans, low-income students, working-age adults, rural students etc.)

Is there a standalone policy document dedicated to equity promotion in higher education?

- Not federally
- However, individual state higher education agencies have developed plans and agendas that incorporate equity promotion in higher education.

What specific interventions and/or instruments of equity promotion are included in the official strategy and policy documents (monetary and non-monetary)?

- Institutional appropriations to Minority-Serving Institutions
- Need-based grant (Pell Grant)

Monetary Policy Instruments

What are the main financial instruments to promote equity?

- Needs-based financial aid (Federal: Pell Grants)
- Student loans
- Equity-linked financial incentives built into the funding formula to allocate public resources to higher education institutions (outcomes-based funding models in some states)

Non-Monetary Policy Instruments

What are the main non-monetary instruments to promote equity?

Non-monetary instruments and strategies to promote equity are non-centralized, meaning most are not prescribed or funded by a central federal agency, like the Department of Education. Nonetheless, many efforts that are organized and implemented at the state- and institutional levels are promoted as best practices by higher education practitioner associations, foundations, and institutional member-based associations.

- Distance education available to equity groups living in remote areas
 - State and individual institutional efforts

- Specialized institutions targeting underrepresented groups
 - Minority-Serving Institutions
- Outreach and bridge programs
 - TRIO (federal)
 - GEAR UP (federal)
 - Other individual institutional efforts
- Academic and career guidance and counseling
- Flexible pathways and transfers / Recognition of prior learning, including:
 - Prior-Learning Assessments
 - Competency-Based Models
 - State transfer articulation agreements
- Affirmative action policies in admissions. Enabled by the 1961 Executive Order 10925 signed by President Kennedy (subsequent legislation has amended affirmative action policies in different areas).
- Retention programs
 - Individual institutional efforts

Financial Resources

What financial resources does the country devote to equity promotion measures?

The Higher Education Programs (of the U.S. Department of Education) [budget request](#) for fiscal year 2018 was \$1.7 billion in discretionary funds. The [request](#) included \$492.2 million in discretionary funding for programs that serve high proportions of minority students, including appropriations to Minority-Serving Institutions. The request also provided \$808.3 million for the Federal TRIO Programs.

Quality Assurance

Federal quality assurance mechanisms do not explicitly take equity into consideration. Measures such as cohort default rate, or even the short-lived gainful employment rule, did not disaggregate by race nor use racial equity as an element when considering compliance with the standard in question.

Monitoring and Evaluation

- *Who is responsible for monitoring the impact of equity promotion measures?*

- There are no federal mechanisms or offices responsible for prescribing equity promotion measures or monitoring the impact of such efforts.
- *What instruments, methods and data are in place to carry out the monitoring and evaluation activities?*
 - The National Center for Educational Statistics (NCES) houses a variety of federal postsecondary educational [datasets](#) which collects information from institutions of higher education, students, and faculty. The United States Government Accountability Office (GAO) broadly provides auditing, evaluation, and investigative services for the United States Congress, including [reports](#) on higher education programs. However, there are no formal instruments or methods to evaluate a national equity-specific agenda.

Dedicated Equity Promotion Agency

The United States does not have an agency dedicated to equity promotion. However, the U.S. Department of Education has an [Office of Civil Rights](#) (OCR) whose charge is to ensure equal access to education and promote educational excellence through vigorous enforcement of civil rights in the nation's educational institutions. Most of OCR's activities are conducted by its [12 enforcement offices](#) throughout the country. These enforcement offices are organized into 4 divisions carrying out OCR's core work -- preventing, identifying, ending, and remedying discrimination against America's students. Three Enforcement Directors in the office of the Assistant Secretary oversee the work of, respectively, the Eastern and Southern and the Midwestern and Western divisions. OCR [administrative offices](#) in Washington, D.C., provide additional administrative support, coordination, policy development and overall leadership.

However, the effectiveness of OCR to promote equity in higher education is dependent on its presidentially appointed leadership and other entities (e.g., Secretary of Education, Congress, Presidential priorities), and resources available to support its work.

- *Proportion of higher education budget available to support the work of the Office of Civil Rights*
 - The United States does not have a federal higher education budget from which the OCR is supported. OCR's budget for fiscal year 2018 is \$106.8 million, but there is no way to disaggregate this by work on higher education.

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