A Union of Professionals

AFT RECOMMENDATIONS FOR THE HIGHER EDUCATION ACT REAUTHORIZATION

The AFT's 1.7 million members fight for vibrant communities, good jobs and strong democratic institutions. Our progress and growth as a nation depend on meaningful access to high-quality educational opportunities beyond high school, and a well-educated citizenry is essential to our democracy.

A reauthorized Higher Education Act can help by spurring new and unprecedented investments in quality, affordable public higher education, and by breaking the grip of student debt on a generation of Americans. We urge Congress to seize this opportunity to fund our future through HEA reauthorization and take other bold steps to revolutionize higher education.

The Problem

In 2010, outstanding federal student debt stood at $665 billion. By 2012, as the outstanding federal student debt hit $1 trillion, a consensus had formed that student debt was making higher education unattainable and that bad actors across the sector were making the experience of being a student loan borrower even worse. Regulations were written to rein in the worst abuses of predatory colleges, while making whole the students who were defrauded by these colleges. The Justice Department reached a historic settlement with student loan servicers that were defrauding veterans, while income-driven repayment plans became available to many more student loan borrowers. And nationwide, a bipartisan conversation on free college was starting.

However, this era of hard-won progress was short-lived.

Today, the outstanding student debt balance is over $1.5 trillion, almost double the 2010 number. The federal government is absent in conversations about free college, dampening state-level initiatives. The Department of Education hawks austerity, rather than funding our future the way our country needs, wants and deserves. Regulations protecting students and taxpayers have been delayed or gutted, setting off a new round of for-profit college chains tapping into federal funds and then abruptly closing, leaving students with debt and little else.

And this administration is actively attempting to roll back the things the last generation of leaders tried to do to mitigate student debt. Income-driven repayment plans and the promise of public service loan forgiveness have been squandered by servicers while the Department of Education has been asleep at the wheel. PSLF, which should have been a transformative program for a generation of public servants—not unlike the GI Bill was for returning veterans—has not been enforced. We hear every week from members like this one from California, who is trying to access PSLF, only to be thwarted by bureaucratic banalities and a system indifferent to his needs:

> *At the end of November I applied yet again to PSLF with the appropriate [employment certification forms], signed by both colleges [where I work]…*
>
> *I checked and rechecked all of the qualifying boxes and both documents are dated last fall.*
>
> *Since then, I got a letter saying that my signature was not by hand and they would not accept an electronic signature. I have copies of the fax documents I sent showing my hand signature. In any case, I get another letter that says that the employee certification form is not the latest version of the form. The last time I downloaded it was in October of last year.*
>
> *Last week I get someone on the phone who says all I have to do is sign it and send it back in.*
>
> *This Monday I get on the phone and the person tells me that the signature is indeed by hand, but they are lacking the second employee certification form, which, if one looks at the FAX verification form, [they] would see that four pages were faxed and I copied them, and there is no way I would send four pages without sending both forms.*
>
> *Nevertheless, I have had to fax again the application form, with my hand signed signature and both employee certification forms…*
>
> *I am almost certain that they will reject and deny this application again, indicating that I must download the very newest form—even though both agents on the phone told me that would not be necessary.*

And now, once again, the administration wants to end PSLF completely rather than make it an attainable reality for the 32 million who could be eligible.

As the relentlessness of this member's efforts to access PSLF demonstrates, student debt is the enemy of Americans' hopes and dreams for themselves, their children and their students at every educational level. Accordingly, we urge you to embrace HEA reauthorization as an opportunity to significantly revise how Americans view, pay for and succeed at postsecondary education. Below are our recommendations and proposals to accomplish this through HEA reauthorization.

These include:

- Increasing access and opportunity for disadvantaged students by creating a "Title I" for postsecondary education.
- Making a high-quality public option for college available to all Americans that would

not require them to go into debt, by promoting state investment to lower college costs and improve outcomes. This includes exploring ways to cancel student debt and reproducing successful program models such as the City University of New York's Accelerated Study in Associate Programs and others.

- Addressing loan servicing failures by putting the student borrower first: coordinating with the IRS to identify and reach out to student loan borrowers, automatically enrolling them in PSLF and certifying their employment, enrolling and renewing them in income-driven loan repayment programs, and creating real standards for servicing.
- Providing accountability for federal funding by banning all federal funding to for-profit colleges or institutions where the governance structure allows for a profit motive to be put ahead of the interests of students.
- Authorizing programs that allow for a variety of postsecondary pathways, including breaking down the silos between apprenticeships, career and technical education and traditional liberal arts education.
- Incentivizing a diverse teaching workforce at all levels, so that, in addition to the promise of debt relief after a period of service, prospective teachers can have a program that provides generous grant aid at the beginning of their postsecondary education—especially for those who plan to serve in shortage areas, including urban, rural and high-poverty schools.

Now Is the Time to Fund Our Future

This moment demands a new approach to help all students who aspire to a college degree or want the professional training they need for their career of choice. The states and some major municipalities have been serving as laboratories for free and debt-free college proposals. The City University of New York's Accelerated Study in Associate Programs is a proven model for achieving true access to liberal arts education for all students—particularly the low-income students and students of color who attend CUNY institutions. ASAP is what all students deserve: investment significant enough to provide true access to education after high school. By providing block scheduling, significant counseling support, transportation funding and more, CUNY has systematically anticipated and addressed the barriers that interfere with college students' ability to persist—and succeed—in traditional higher education.

CUNY's long dedication to educating disadvantaged students has helped make New York a singular and remarkable city and has resulted in CUNY's nearly unparalleled record of increasing economic mobility.[1] But this kind of equitably shared student success isn't only possible in New York City. It has been reproduced in Ohio,[2] and the same values underpin student success initiatives elsewhere in New York, such as at the State University of New York's Educational Opportunity Program,[3] and across the country, such as in Texas at Amarillo College's Poverty Initiative.[4]

The elements of the ASAP model, to the extent that they are reproduced and expanded, could make higher education truly accessible—without debt—to students across the United States.

While the supports provided by ASAP and similar programs have proven effective, they require additional resources. This is not a "do more with less" moment. Though CUNY's ASAP is visionary, it struggles for funding during the state budget cycle each year and also depends on some private donations. These budget constraints impair it from expanding further. Other “promise” programs, despite their names, struggle from the same funding instability. It is unacceptable for even the most lauded programs to struggle for basic operating costs. A reauthorized HEA must provide direct operating funds to the public institutions of higher education that serve the largest numbers of low-income students.

Making college truly affordable also means recognizing who today’s students are. They are no longer full-time students aged 18-22.[5] Today, the typical student at an American institution of higher education is an adult who is simultaneously working a full-time job and supporting a family. With so many competing priorities, and limited resources to fall back on, one financial emergency can cause a student to drop out of college. A broken-down car should not mean the end of anyone’s college career. As the research of Temple University professor Sara Goldrick-Rab shows, relatively small dollar amounts delivered just in time can keep college students on track toward degree or program completion.[6]

The HEA should create an emergency grant program to prevent isolated financial setbacks from forcing students to go off course. Such a program can be modeled after the successful Panther Retention Grants at Georgia State University,[7] the FAST (Faculty and Students Together) Fund administered by professor Goldrick-Rab,[8] the Dreamkeepers Emergency Financial Assistance Program in place at colleges throughout the country,9 and the statewide Finish Line Grants in North Carolina.[10] Our members who administer such grants emphasize the need to act quickly, with minimal red tape or wait times for students.

Reversing State Disinvestment

Forty-five states spent less per student on higher education in 2018 than they did in 2008. Though the most recent few years have seen small amounts of state investment restored, the overall gap between 2008 and 2018 spending is over $7 billion.[11] As a result, in 49 out of 50 states, tuition now makes up a greater share of total revenue brought in by public colleges and universities than at the beginning of this century.

Our proposition is simple: College education is not truly affordable to students and families when it has to be financed with debt. To accomplish this, as Rep. Bobby Scott (D-VA) said at the beginning of the 116th Congress, Congress must do more than tinker around the edges of existing programs. Rather, Congress should legislate with the intent of making a high-quality public option for college available to every person without the need for anyone to go into debt for either tuition or ancillary costs of attendance.

As Sen. Patty Murray (D-WA) has also recently emphasized, Congress must use the HEA reauthorization to align incentives so that states will reinvest in their colleges and universities.

A Title I for Postsecondary Education

But more than just realigned incentives are needed. Often the institutions that serve the largest numbers of low-income students—the students who would benefit from the expansion of programs like CUNY’s ASAP[12]—are the most under-resourced, and therefore are currently unable to provide the supports those students need to succeed and persist. Some have been intentionally punished by years of wrongly applied “performance funding” initiatives that simply rate the wreckage of disinvestment from both K-12 education and postsecondary education. Pell Grants follow individual low-income students, but even a concentration of Pell dollars reflecting serious institutional commitment to recruiting low-income students merely pays existing costs. It can’t help an institution more comprehensively serve the needs of low-income or underprepared students.

The HEA should create a new grant program to provide resources to public institutions that serve high numbers and percentages of Pell-eligible students. This would be similar to Title I of the Every Student Succeeds Act, which is designed to improve basic programs and ensure that disadvantaged students receive equal opportunity and access to a high-quality education. The Pell Grant is a great tool that should be strengthened. But it is time to more broadly recognize the ways in which colleges serving large numbers or percentages of impoverished students face additional challenges and require additional funds to address those challenges, just as we have done in K-12.

Operating expenses matter. A focus on the price of college has obscured the cost of providing a high-quality education. As a union with membership across the higher education system, we know that eliminating the price does not eliminate the cost. This is precisely why targeted federal investment is needed.

We are not the first organization to propose a new grant program to incentivize[13] state[14] investment[15] in public[16] higher[17] education.[18] In fact, there is broad support and agreement that a new structure needs to be put in place to help level the playing field in higher education, as it has in K-12.

Ending the For-Profit Racket

When states refuse to provide meaningful access to higher education and Congress looks the other way, it creates an opening for low-quality, predatory institutions to prey on students seeking a better life.

We think it is important to highlight the weight of the accumulated evidence that for-profit colleges prey on poor students and students of color. For-profit colleges rely almost solely on federal financial aid to fund their institutions; they generate a disproportionate amount of student loan debt and a disproportionate number of student loan defaults.[19] And their model has failed repeatedly and catastrophically. The sudden collapse of Corinthian Colleges in 2015 exemplified a deeply troubling trend of colleges bailing out on students midsemester, when it was no longer profitable to educate them. The impending collapse of the Argosy University chain will be only the latest in a string of failures that should be viewed as defaults by the institutions—and by the industry itself.

Now is the time for Congress to step up and decide to stop sending taxpayer dollars to these institutions. In *Lower Ed: The Troubling Rise of For-Profit Colleges in the New Econom*y, author Tressie McMillan Cottom explains that the practices of "lower ed," spurred by the profit motive, are incompatible with the purposes of higher education: the development of engaged citizens, the preparation of workers for multiple careers and kinds of work over a lifetime, and the development of new knowledge that benefits our entire society. Covert for-profits masquerade behind nonprofit tax status, and high-priced "boot camps" turn workforce preparation into a gamble made by individual workers. This is not progress; it's just more of the profiteering that harms students and their families. An HEA reauthorization should ban all federal funding to for-profit colleges or institutions where the governance structure allows for a profit motive to impact institutional decision-making.

An HEA that Encourages and Supports All Postsecondary Pathways

Just as completing high school became the pathway to success over the 20th century, accessing and finishing a postsecondary program should be the standard for the 21st century. If we are serious about helping all students succeed in their chosen professions, we need to break down conceptual silos between apprenticeships, career and technical education, and traditional liberal arts education, and robustly fund all of them.

The truth is that our nation needs all of these options—and that individual students need access to all of them, at all stages of life. The benefits of a population with ready access to postsecondary education accrue to our entire society via increased rates of civic participation, increased tax revenues that result from economic growth, better health outcomes, technological advances and a decreased reliance on safety net programs. We all gain from these outcomes, and we should invest in all of them.

Liberal arts education has its role, and this role must be protected. The purpose of college and graduate education is not just to create more individuals with degrees, but to create new knowledge, guide the search for truth, and promote the flexibility of thought and intellectual ability that will drive sound decisions for the 21st century.

Rather than asking our vitally important postsecondary humanities, engineering, science and other programs to contort themselves into direct career preparation entities, we need to ensure that federal funding of postsecondary education aligns with reality by valuing and supporting each of the separate pathways to postsecondary opportunity.

A reauthorized Higher Education Act should allow for robust career and technical education programs, including by allowing higher education programs to better align with Perkins and other programs that focus on strong 21st-century workforces. Ways this can be done include:

- Lifting some of the restrictions on HEA work-study funds to ensure that students can use them for career-related jobs.
- Allowing the use of Pell Grants for high-quality, short-term postsecondary programs that are CTE-focused.
- Supporting efforts to improve cross-system alignment, such as connecting high school and postsecondary education through sequenced programs of study, and integrated education and training that link adult education and CTE postsecondary programs.

Addressing Student Loan Servicing Failures

As a union, the AFT has a special relationship to the topic of student debt. Nearly all of our members must incur it, to a greater or lesser extent, in order to secure the credentials that are required for them to do the vital work that their communities—and Congress—need them to do.

We also have a special relationship to the topic of servicing failures. While most of our members who are federal student loan borrowers qualify for public service loan forgiveness, nearly all—like the member whose letter is featured at the beginning of these recommendations—are currently having this statutory right stolen from them via poor and abusive student loan servicing practices.

The AFT has fought for a range of approaches to clean up this industry, including public testimony and comment, social media activism, shareholder actions[20] and, now, funding a class-action lawsuit against Navient,[21] which has demonstrated a pattern and practice of interfering with our members' access to PSLF by giving bad advice. We have also created a nationwide effort, via our AFT student debt clinics, to provide our members with the clear and accurate information servicers refuse to give them.

We will never stop vigorously protecting our member's hard-earned livelihoods. But our experiences have shown us the limits of incremental strategies. It is increasingly apparent, as former academic Anne Helen Petersen wrote recently in a series on burnout, that "keeping borrowers confused—and thus paying for longer, while interest and servicing fees accumulate—isn't a bug in the system. It's a feature."[22]

Congress cannot allow this to go on. Students and families who borrow money for college have to be treated better. We must remove the hoops public servants have to jump through to receive public service loan forgiveness and make the process as automatic as qualifying for Social Security. For example, between their tax returns, licensure records and mandatory background checks, the government knows enough about most public servants to find them, instead of the other way around. The promise of public service loan forgiveness is based on who pays you, not the specific job title you hold, so the Education Department and Congress should be holding employers accountable for enrolling their employees, instead of leaving millions of eligible borrowers to struggle through the system individually. Because servicers have proven themselves unable to provide the high-touch servicing that complex eligibility requirements would demand, eligibility barriers like loan type and repayment plan type should be dropped. And when servicers fail to help borrowers or employers to navigate program requirements—or obstruct their progress to PSLF through bureaucratic red tape—they should face meaningful penalties.

Servicing concerns go well beyond the PSLF experience. It is unacceptable that 40 million Americans are trapped in permanent relationships with unregulated contractors who can interfere with their exercise of statutory rights via malice, ineptitude and lack of regulatory oversight.

In order to promote competence and robust oversight, there must be explicit rules that put the student borrower first and convert loan servicers into fiduciaries of student borrowers' time and trust. This means creating real standards for servicing, with an enforceable expectation that borrowers receive full and accurate information about their loans and repayment options; eliminating default by proactively moving borrowers into affordable payment plans; and acknowledging that violations of rules contained in the HEA and any other servicing standards are de facto violations of unfair, deceptive and abusive practices rules as well. The HEA should also explicitly grant state attorneys general continued concurrent oversight over student loan servicing and ensure that state legislatures have the purview to protect consumers as it pertains to students in their states.

Exploring How to Cancel Existing Student Debt

Student loan debt holds people back, is a drag on the economy, and doesn't do anything to make our nation wealthier, stronger, healthier or freer.[23]

If $1.5 trillion can be located to fund a tax cut for the wealthiest Americans, $1.5 trillion could have been located to forgive outstanding federal student loan debt.

Any progress toward this goal would be a significant step toward the full economic inclusion of an indebted generation that badly wants to participate fully in the economy. And the $1.5 trillion student debt market offers many potential avenues for equitable progress—via partial forgiveness or forgiveness targeted at particular groups of student debtors (e.g., those receiving Social Security payments because of either age or disability, those with incomes under a certain threshold, those with superannuated debt). This idea is no more radical than the economic lifelines given to American International Group or the automotive industry. In fact, student debt cancellation may ultimately be far more productive for the overall economy than the help either of those sectors received.

Incentivizing a Diverse Teaching Workforce at All Levels

Additional and consistent funding for higher education is important for students to access higher education. But their experience once they enter college cannot be ignored in the HEA either. The destabilization of the academic workforce in the last half-century has harmed students.[24] An overwhelming majority of the instructional workforce is now employed on a temporary basis, for a median pay of about $2,700 per class—a figure that is far below a living wage and, in some cases, even below the minimum wage. Temporary faculty are too often treated as peripheral to the institutions where they teach. Faculty who are not assigned office space or given compensated time to meet with students cannot readily hold office hours. Faculty who are not paid to design or adjust their syllabuses—who may not even be permitted to do so—cannot change their reading lists to adapt to developments or questions that arise during a semester, cannot modify assignments to incorporate new research, and cannot adapt the modes of instruction to meet students' needs. The profound lack of trust in faculty judgment and training that underlies this tendency is, unfortunately, spreading far beyond the for-profit space to institutions that have historically respected academic freedom.

Furthermore, being a student of color at any predominantly white institution today means having almost no one who looks like you at the front of your classroom. According to the National Center for Education Statistics, in 2016, "among full-time professors, 55 percent were White males, 27 percent were White females, 7 percent were Asian/Pacific Islander males, and 3 percent were Asian/Pacific Islander females. Black males, Black females, and Hispanic males each accounted for 2 percent of full-time professors."[25]

These are major problems that can only be remedied by focusing on the faculty development pipeline and on the conditions of faculty work—making faculty jobs, more than 70 percent of which are currently temporary, into sustainable careers once again.

While we're grateful that Congress has repeatedly singled out K-12 teaching as a profession of national importance and provided several programs to incentivize entry into the profession, the overlapping eligibilities of Teacher Loan Forgiveness, Perkins loan forgiveness, and TEACH grants cause confusion and frustration. The "purchasing power" of these programs is also eroded as college costs rise. Finally, as we have recently seen and as the Department of Education has recently admitted, oversight is lacking—particularly for TEACH grants.

While we urge Congress to fix PSLF, we also suggest a different approach for incentivizing entry into teaching. In addition to the promise of debt relief after a period of service, students studying to be teachers need a program that provides generous grant aid at the beginning of their postsecondary education—especially for those who plan to serve in shortage areas like rural communities. Grant aid, unlike loans, helps overcome persistent inequalities, and a program of this kind could go a long way toward diversifying the teaching workforce.

CONCLUSION

The American Federation of Teachers' 1.7 million members want vibrant communities, good jobs and strong democratic institutions. A reauthorized Higher Education Act can help bring those goals within reach—or can move us, as a nation, further from attaining them. If we fail to seize this moment, we will have missed a generational opportunity to reset the terms under which economic mobility is possible in America by reclaiming the vision of higher education as a shared social good—and a real possibility for all—that undergirded the original Higher Education Act.

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