



JULY 2019 PUBLIC POLICY UPDATE

Administration

DeVos Appeals Ruling Striking Down Delay of Rules for Online Colleges

(Courtesy of Michael Stratford, Politico)

The Trump administration appealed a federal judge's ruling that struck down Education Secretary Betsy DeVos' two-year delay of Obama-era rules governing online colleges.

The Justice Department [filed a notice](#) in court that it was appealing to the U.S. Court of Appeals for the 9th Circuit the April ruling that DeVos had illegally postponed the "state authorization" rules for online colleges.

In the decision, U.S. Magistrate Judge Laurel Beeler sided with the nation's largest teachers union, the National Education Association, which brought the lawsuit. Her ruling striking down the Trump administration's delays of the regulations took effect on May 26.

The rules were finalized by the Obama administration in December 2016 and were supposed to take effect in July 2018. DeVos had postponed implementation of the rules until July 2020.

The regulations require, among other things, that colleges disclose whether their online programs have run into trouble with state regulators or accreditors. Online college programs must also tell students whether a program meets state requirements for certification or licensure in a particular field, such as teaching.

The decision was among a [string of legal setbacks](#) for DeVos as she has sought to swiftly roll back major Obama-era policies at her agency.

Labor Department Proposes New Apprenticeship System and Approval Process

(Courtesy of EducationDive)

The Trump administration this week [announced more details](#) about a proposal to set up a new apprenticeship structure that would expand such offerings across more industries and job types.

The proposed rulemaking would establish industry-recognized apprenticeship programs (IRAPs) that would run alongside the current registered apprenticeship system. To avoid "undercutting" the latter, the U.S. Department of Labor said the new programs would focus on industries that don't have strong apprenticeship opportunities.

The department [also hopes](#) to craft a process to recognize certain groups, including educational institutions, as standards recognition entities (SREs). They would set standards for training, structure and curricula for IRAPs.

Trump Suggests He'll Release a School Busing Policy but Shares Few Specifics

(Courtesy of Evie Blad, EdWeek)

Asked about a debate between Democratic presidential candidates on [busing and school integration](#), President Donald Trump seemed to suggest that he would be releasing a new plan on the issue soon. But he provided few details.

The issue has dominated headlines since [California Sen. Kamala Harris pressed former Vice President Joe Biden](#) at a Democratic presidential debate on his record of [supporting some anti-busing measures](#) in the 1970s, when Harris, who is black and Asian, was part of one of the first classes to integrate Berkeley schools, under a plan the district adopted voluntarily.

[The issue is still relevant today](#) as students of color make up a majority of enrollment in U.S. public schools, and data suggests that many schools have essentially resegregated in the last few decades.

Trump's responses at a Saturday press conference in Osaka, Japan, seemed to focus on busing as a general mode of transportation, rather than a means of desegregating schools. This led some commentators to question whether he fully understood the debate.

"And as far as that, I will tell you in about four weeks, because we're coming out with certain policy that's going to be very interesting and very surprising, I think, to a lot of people," Trump said, when a reporter asked him where he stands on the issue of "federally mandated busing."

A school integration plan from the Trump administration would indeed be surprising and unexpected. In 2018, Trump's administration rescinded several guidance documents issued under President Barack Obama that emphasized permissible ways for schools and colleges [to take race into account](#) to promote student diversity. And Trump's Education Department has taken heat from civil rights groups for rolling back other guidance documents aimed at promoting racial equity in school discipline.

In the 1970s, When Biden was first in the Senate, Republicans included opposition to busing in their national platforms. And in the time since, courts have [restricted districts' ability to take race into consideration](#) when determining students' school assignments.

It was unclear over Saturday whether Trump was alluding to a specific proposal that is in the works or making a promise off of the cuff, which he has done with other policy issues in the past. A spokesperson for the Education Department referred Education Week to the White House for clarification. A White House spokesperson did not respond to repeated requests for comment Saturday and Sunday.

Pressed a second time Saturday on whether he considers busing to be a "viable way of integrating schools," Trump responded:

"Well, it has been something that they've done for a long period of time. I mean, you know, there aren't that many ways you're going to get people to schools. So this is something that's been done. In some cases, it's been done with a hammer instead of velvet glove. And, you know, that's part of it.

But this has been certainly a thing that's been used over the—I think if Vice President Biden had answered the question somewhat differently, it would've been a lot—it would've been a different result. Because they really did hit him hard on that one. So—but it is certainly a primary method of getting people to schools."

Congress

House Education and Labor Committee Chairman Bobby Scott's Statement on President Trump's Apprenticeship Plan

(Courtesy of the House Committee on Education and Labor)

Chairman Bobby Scott (VA-03) issued the following statement in response to the Trump administration's release of its Industry-Recognized Apprenticeship Program (IRAP) proposal.

"Registered Apprenticeship programs are proven to prepare workers for good-paying, middle-class jobs. The administration's proposal to establish a new unregistered apprenticeship program – which lacks sufficient accountability for meeting quality standards or ensuring the success of apprentices – diverts valuable funding away from programs that have a long record of success. Registered Apprenticeships provide apprentices' skills and wages in lockstep with increased competency and a portable credential that will be recognized across the country.

"The proposed Industry-Recognized Apprenticeship Program (IRAP) does not include any of these protections for apprentices and taxpayers. Instead, the proposal allows private companies to create and police their own apprenticeships, exposing apprentices to low-quality programs and undermining the integrity of the entire apprenticeship system.

"Unlike IRAPs, Registered Apprenticeships have strong bipartisan support and are proven to be effective in offering workers a clear path to the middle class. Instead of wasting money on unproven IRAPs, the Department should support innovation and expansion already taking place with Registered Apprenticeships in new occupations in a way that does not compromise quality and accountability."

Other News

CEA Report Finds Most Government Training Programs Fall Short

(Courtesy of Matt Weidinger, American Enterprise Institute)

Many people hope that training or retraining workers — including those displaced by global trade or automation — will lead to more work, higher pay, and less poverty. But a new White House Council of Economic Advisers (CEA) [report](#) doesn't offer much encouragement for those looking to government to successfully retrain workers. As the authors of the report note, many of the federal government's 40-plus employment and training programs that gather evidence necessary for rigorous evaluation have not produced significant wage or employment gains for their participants.

These findings help explain why the current administration has been interested in promoting registered apprenticeship programs that harness industry expertise to bring more Americans into skilled employment. Today, the Department of Labor announced a [proposal](#) that furthers the development of Industry-Recognized Apprenticeship Programs, which grant trade organizations and employers more autonomy to design and scale their own apprenticeships. As the CEA report notes, apprenticeships offer some of the few bright spots in an otherwise disappointing training landscape.

Key findings from the June 2019 CEA report on the performance of government employment and training programs:

- "With the exception of the Registered Apprenticeship program, government job training programs appear to be largely ineffective and fail to produce sufficient benefits for workers to justify the costs." (p. 2)

- “In 2019, the Government Accountability Office (GAO) released a comprehensive report on government employment and training programs. They identified 43 different employment and training programs across nine different agencies in Fiscal Year 2017.” (p. 6)
- “Overall, the consensus of studies into these programs suggests that training may have small positive effects on earnings in the adult worker program, but there is not a significant effect on earnings from training for dislocated workers. As a result, while intensive services have a positive net benefit, once considering the costs of the program, the additional WIOA Training services have a negative net benefit.” (p. 12)
- “There is some evidence that apprenticeships are effective at increasing earnings potential. A 2012 study of Registered Apprenticeships in 10 States found that they had a large positive effect and a positive net societal benefit (Reed et al. 2012). Individuals who completed their training earned an average of \$240,037 more over their lifetime than nonparticipants after controlling for demographic differences at the time of enrollment. The net social benefits were conservatively estimated to be more than \$49,000 over the course of the apprentice’s career.” (p. 17)
- “Job search assistance programs appear to be the most successful, while job training programs (with the exception of apprenticeships) appear to be largely ineffective. It is an open question whether the cumulative benefits of these various programs are sufficient to justify their costs.” (p. 21)
- “While the government offers a wide range of employment and training programs, the findings on their effectiveness is mixed, and additional research is needed to identify the characteristics that contribute to the success of the most effective programs in order to ensure that workers are fully benefiting from this spending. Job search assistance programs appear to be the most successful, but they only seek to get individuals back to work quickly rather than provide them with new skills and training. Government job training programs (with the exception of apprenticeships) appear to be largely ineffective.” (p. 23)
- “Improvements in government workforce and training programs are needed in order to effectively reskill dislocated workers as well as to provide opportunities for those currently employed to gain additional skills to prevent them from becoming dislocated as technological change occurs.” (pp. 23-24)

Most Students Lack 'Basic' Information About Financial Aid, ACT Says

(Courtesy of Benjamin Wermund, POLITICO Pro Education Whiteboard)

Many high school students considering college know little about the student aid they'll likely need to attend, according to [new research](#) by the ACT that comes as student loan debt has emerged as a key point of debate among 2020 hopefuls.

The research, based on a survey of 1,200 ACT test-takers, noted that more students are averse to taking on debt to pay for college and plan to cover the costs on their own. The researchers said knowledge of the financial aid process is "shockingly low."

An overwhelming majority of students — from 73 to 81 percent, depending on family income — didn't know that the government subsidizes a borrower by paying interest on existing loans while the student is still in college, for instance. Most also didn't know about income-based repayment plans.

"The findings highlight an urgent need for more financial literacy-specific interventions, especially in light of the economic stakes at hand," Jim Larimore, chief officer for ACT's Center for Equity in Learning, said in a statement.

The report comes a day after Sen. Bernie Sanders (I-Vt.) proposed eliminating all student debt — even for the wealthy — going a step further than Sen. Elizabeth Warren (D-Mass.), who has called for canceling debt based on income.

Higher Ed Group Pushes for Clarity on Foreign Funding Rules

(Courtesy of EducationDive)

In 24-odd years working at the American Council on Education (ACE), Terry Hartle had never spoken with the National Security Agency. But in the last three years, the senior vice president of government and public affairs has been talking with the agency regularly, allaying fears about foreign-funded ideological influence on U.S. universities and underscoring the benefits of global research cooperation.

"That's the world we're living in now," he said. "The challenge in the last two or three years is that American perceptions about research funded by foreign entities (at U.S. universities) have changed, there's an anxiety."

He thinks those concerns are overstated, however. "A vast majority of such research is proper and appropriate, that's unquestionable; we won't tolerate anything that isn't," he said. Ten days earlier, The Associated Press (AP) [reported](#) that the U.S. Department of Education was investigating funding to Georgetown University and Texas A&M University from governments and businesses in Qatar, China, Russia and Saudi Arabia.

The department's move is part of a larger effort to monitor the flow of funds to U.S. colleges, the AP reported, and it's one in which more colleges are expected to be pulled into. Additionally, separate bills have been introduced in Congress that seek more protection for academic research and that increases scrutiny of funding and participating students. However, higher ed groups are concerned that oversight could further strain international student enrollment.

For instance, on June 18, Sen. Josh Hawley (R-MO.) [introduced](#) the [Protect Our Universities Act of 2019](#), which calls for an interagency task force led by the Department of Homeland Security to identify research it considers sensitive. It would then require background screening for students from China, Iran and Russia to participate in that research. Other actions include preventing technology from certain companies to be used in such projects.

'A lot simpler in the 1980s'

These developments haven't exactly come as a surprise to Hartle. However, he's concerned by what he sees as a lack of clarity in the Education Department's guidelines for colleges on reporting foreign funding. It's an issue ACE has raised with the department several times this year, but to no avail. And he's concerned research at American universities will suffer as a result.

Since January, ACE, which represents more than 1,700 leaders of colleges and industry associations, [has twice written to](#), and once met with department officials to request clarity on how institutions should report foreign funding. They have yet to hear anything that parses the reporting requirements, which were written in 1986 and have since been modified by the Ed Department through guidance on two occasions, Hartle said.