



January 26, 2021

Dr. Miguel A. Cardona  
Secretary of Education-designate  
United States Department of Education  
400 Maryland, S.W.  
Washington, D.C. 20202

Dear Secretary of Education-designate Cardona,

It was a pleasure to meet with you last week alongside my colleagues to discuss the Biden administration's higher education priorities. As you take the reins of the Department of Education, we look forward to a collaborative, open partnership and stand ready to help you and the agency moving forward.

Given the wide range of ways in which colleges and universities interact with the federal government, the areas worthy of your attention are numerous. In light of the unique challenges facing our country and so eloquently identified by President Biden in his inaugural address, I write you today to outline the issues that I believe the higher education community is most focused on.

### **COVID-19 Relief**

It is impossible to deal comprehensively with the challenges facing students and institutions without first bringing the pandemic under control. We share the administration's prioritization of this area, and colleges and universities are doing much to build back better. But institutions and students need more federal assistance.

While we were grateful to see the inclusion of \$35 billion for higher education institutions and students in President Biden's American Rescue Plan, we have identified \$97 billion, at least, in unmet need. More than half a million jobs have been lost in higher education since the start of the pandemic, causing a devastating ripple effect in thousands of communities where colleges and universities serve as economic anchors. In addition, early information on the American Rescue Plan suggests that private, nonprofit institutions and their students would be excluded from receiving assistance. We have every confidence the administration, in partnership with Congress, will correct this, but we must stress the vital importance of maintaining equal treatment of all nonprofit institutions in federal policy and ensuring that all students and schools receive needed emergency relief.

Finally, new guidance on the use of emergency relief funds must clearly indicate that all students, regardless of their citizenship status, are eligible for the aid and that institutions have the flexibility to use the funds to serve students as local circumstances dictate.

## **Diversity, Equity, Inclusion, and Student Success**

Ensuring that all students are welcome and have an equal chance to succeed is a fundamental priority of American higher education. Federal policy has a profound impact on whether Americans are able to pursue and complete postsecondary education, especially for the students who face the greatest difficulties in doing so. While it is important to change the way our government speaks to students, here and abroad, and reverse harmful policies, such steps will only accomplish so much. Bold new efforts are required to restore what we have lost and accomplish important new goals that meet the aspiration of building back better. In the area of higher education, we believe it is vital to undertake these four efforts:

**Doubling the Maximum Pell Grant** – The economic crisis caused by the recession has devastated student enrollment among the most at-risk populations of students and threatens to wipe out a generation of progress in less than a year. To reverse this trend and ensure low-income students have the resources to attend and complete college, the maximum Pell Grant should be doubled, from its current \$6,495 to at least \$12,990 and the award should be indexed to inflation.

**HBCU and MSI funding** – The Biden campaign recognized that Historically Black Colleges and Universities, Hispanic-Serving Institutions, Tribal Colleges and Universities and other Minority-Serving Institutions occupy a unique place in American higher education, and disproportionately serve the most underrepresented populations. They have historically been under-resourced compared to their peers and special efforts should be made to expand and make permanent federal support for these institutions.

**Deferred Action for Childhood Arrivals (DACA) and Dreamers** – We appreciate the administration’s quick action to fortify and protect the DACA program as the first step towards providing permanent protections to all Dreamers via legislation that includes a path to citizenship for these outstanding young individuals. We pledge our support, and that of our members, to help the administration in accomplishing this.

**Broadband Access** – The pandemic has highlighted both the opportunities, and the limitations, of remote learning. Many of the pedagogical concerns are being addressed by our campuses, but the digital divide has created a crisis for many students who lack sufficient internet access, adequate technology, or very often, both. You can do much to reduce the harm low-income students’ experience, in both rural and urban areas, by expanding on provisions included in the Consolidated Appropriations Act of 2021. Beyond providing support to low-income families to purchase internet capable devices and service, this administration should recognize that institutions are hubs of connectivity in their communities by creating a higher education equivalent to the E-Rate Program that allocates resources to institutions to build broadband connections in their local area.

## **Protecting Students**

Expanding access to higher education is meaningless if students are not well served by their institutions. Central to this is ensuring that students have the information they need to make informed choices; the supports they need to take advantage of their opportunities; and recourse available to them in case they have been harmed. Paired with effective federal oversight and accountability measures, federal policy can drive positive change while minimizing risks for students and families. We believe the following items are critical components to such an approach:

**Student Financial Aid** – Pell Grants are the cornerstone of federal student aid, but numerous other programs work to prepare students for, and succeed in, postsecondary education. Far from duplicating the support Pell provides, these programs complement and strengthen federal financial aid. The Department should look to expand and improve their effectiveness, and resist any efforts to consolidate or eliminate these valuable programs.

Unfortunately, the challenges in student loan programs are significant and will require sustained effort. Across nearly every area of operations, improvements are needed to ensure that students borrow only what they need and can afford; loans are offered on the most advantageous terms possible; repayment is simple to navigate and takes individual borrowers' circumstances into account; and, finally, that borrowers who have been harmed by their experience have a real opportunity to discharge their debts through forgiveness or bankruptcy. Making such changes offers the opportunity to meaningfully improve the lives of not just the roughly 44 million current borrowers, but those who have yet to pursue a postsecondary education.

**Transparency and Accountability** – Even the most rigorous review by accreditors, the actors most responsible for ensuring institutional quality, is not sufficient to deter bad actors. For that reason, accreditors must have transparent standards that are accompanied by targeted reviews of institutions that fail to meet them. In addition, the Department should quickly launch new rulemaking processes for the Gainful Employment and Borrower Defenses to Repayment regulations. Implementing such regulations will limit or end access to federal aid for institutions that fail to serve their students well, and will enable students defrauded by educational providers to escape further harm. Similarly, restoring the 85/15 metric targeted at for-profit institutions where the risk has been demonstrated to exist, while making the calculation inclusive of active duty military and veterans' benefits, will minimize the chance of fraud and abuse.

Finally, to ensure the public and stakeholders have clear and actionable information to use when evaluating institutions, the Department should develop a robust and secure data system with extensive privacy and security protections to deliver consumer-friendly cost and affordability information; student outcomes; institutional and programmatic performance; and other measures. The resulting data should be made available through the revision of existing tools such as the College Scorecard. Other measures used to evaluate the performance of institutions, including the current Financial Responsibility Scores analysis, need to be revised so that they accurately reflect the financial health of private institutions.

**Guidance and Regulation** – There are a range of areas where the Biden administration should immediately reverse recent efforts that made campuses less diverse and less welcoming, undercut accountability, and eroded America’s standing as the destination of choice for the world’s most talented students and scholars. While not all of these fall under the authority of the Department, a strong voice advocating for students and institutions across the federal government is critical. Key issues we believe should be addressed include:

- New Title IX regulations that protect survivors and enable colleges and universities to effectively, fairly, and compassionately combat sexual assault and harassment and treat both parties equitably when investigating and resolving such cases;
- The termination of politically-motivated investigations of individual institutions, especially around issues of diversity, equity, and inclusion;
- Clarification of institutional responsibilities under Section 117 foreign gift and contract reporting requirements;
- The broad range of immigration issues that have led to historic declines in international student enrollment and a negative shift in the global perception of the United States.

## **Research**

While the Department itself oversees only modest research programs, the close research partnership between the federal government and higher education requires continued support and collaboration across the federal government.

The federal investment in research and development has been repaid countless times over in technological, biomedical, and basic science advances that power our economy and enable us to respond to the crises we now face. We look forward to working with you in collaboration with your peers in other federal agencies to strengthen and expand this critical partnership.

In conclusion, beyond the issues highlighted above there are numerous areas where the higher education community is anxious to work with the Biden administration and the Department of Education to address the short- and long-term challenges facing our country. There is great opportunity for collaboration, as our associations and our members aim to be a resource to the Department under your leadership, advancing our mutual interest to not only repair the damage of the last four years, but to move higher education in this country ahead in an effective, efficient, and productive manner. We look forward to a constructive partnership over the coming years.

Sincerely,



Ted Mitchell  
President