



## **Enforcement, Or Aggrandizement, The Mission Of New Ed Unit?**

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When federal officials, or state attorneys general, or regulators, investigate a for-profit college, they do it with taxpayers' money whether those taxpayers like it or not. The schools, in crucial contrast, have to defend themselves with their own money – or at least money brought to them by students' voluntary decisions – and they are damaged just by allegations of wrongdoing. This asymmetrical reality, if no other, should give anyone pause when a new federal initiative is undertaken in the name of “protecting” people against “bad” schools.

Just such an initiative is what the U.S. Department of Education recently announced it is undertaking, though in reality it will be reshuffling employees to do what it was already supposed to be doing. But having a big announcement about the creation of a new “enforcement unit” only bolsters the fear that the Department will often be attacking for-profit schools – without proof of illegality – rather than dispassionately and objectively seeking to provide real, impartial justice. It appears, basically, to be something of a PR stunt.

To be sure, Acting Secretary of Education John King said that the purpose of the new unit is not to target for-profit schools. But he also reportedly suggested that they are a big problem. And maybe for-profit colleges really do perpetrate lots of outright, illegal fraud – surely some do. But the track record of investigations and proceedings seems to show that government officials and schools typically settle without an admission of wrongdoing by the schools. So maybe the colleges really did break the law, but just as likely they settled in order to stop pouring their finite funds into lawyers. And we know that some splashy government reports have seriously distorted the picture on for-profit institutions.

The deepest problem, perhaps, is that people seem to assume that the government wears the white hats and for-profit institutions the black. But to assume that, you have to assume that public officials have no self-interest in demonizing and attacking for-profit schools. Of course, they do: every official wants to be seen as “doing something,” justifying promotions and raises, and going after the “bad guys” is a great way for politicians to get elevated reputations, more votes in elections, and tickets to higher offices. In other words, government employees are likely just as driven by self-interest as the owners of for-profit schools. And that's why creating new government groups to investigate and accuse colleges of wrongdoing, and to do so with taxpayer dollars, is potentially a very dangerous – and unfair – thing to do.

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