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## ISSUES IN HIGHER EDUCATION

### **DeVos Moves Forward but Opposition Closely Follows**

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WASHINGTON — Despite protestations from Democrats who said Betsy DeVos will have an adverse impact on higher education, the Senate education committee on Tuesday voted to move forward with the confirmation of the billionaire philanthropist who is both lauded and lambasted for her advocacy of school choice and school vouchers.

The 12-11 vote, which split strictly along party lines, came amid Republican assurances that DeVos will divest herself of the 100 or so items that the U.S. Office of Government Ethics said could pose a conflict of interest for her as secretary of education if she does not.

The confirmation now heads to the full Senate but no date was provided at Tuesday's hearing as to when.

Sen. Lamar Alexander, R-Tenn., chair of the Senate Committee on Health, Education, Labor & Pensions, said that DeVos was the “most questioned” education secretary nominee in history, since Democrats posed nearly 1,400 questions to her. This is a figure he said was 25 times more than the amount of questions posed to President Barack Obama's two nominees for education secretary, Arne Duncan and John B. King Jr., respectively. Alexander and other Republican senators said DeVos deserves credit — not scorn — for using her wealth to advocate for school choice and vouchers so that students from low-income families can have the same educational options as students from wealthy families.

However, Democrats maintained that DeVos was the most unqualified education secretary nominee and said she deserved the intense scrutiny because of her vast investments, including in for-profit education companies, and has pushed for charters and vouchers for schools without adequate accountability.

Sen. Elizabeth Warren, D-Mass., accused DeVos of hiding “shady investments” from the committee and criticized DeVos for using her “vast fortune to push her own ideology.”

“Not only are her ideas completely unformed by experience with public schools, but the evidence is clear that her privatization theories are bad for students,” Warren said.

On higher education, Warren said she gave DeVos “the opportunity to prove to the American people that she is serious about standing up for students,” but that DeVos failed.

“I asked Mrs. DeVos basic, straightforward questions about her commitment to protecting students and taxpayers from fraud committed by shady for-profit colleges. But she was unwilling to commit to using the department’s many tools and resources to keep students from getting cheated,” Warren said.

Several scholars contacted by *Diverse* also weighed in against DeVos.

“It’s a pretty sad day,” said Dr. Cheryl Holcomb-McCoy, dean and professor of education at American University.

“I thought we were really moving in the right direction of ensuring that all students that choose to go to college in the U.S. have access to fair education and equitable education across the board,” Holcomb-McCoy said of the Obama administration. “It appears that the new education secretary does not hold that same view, but there’s a long list of things she won’t commit to.”

Holcomb-McCoy listed gainful employment regulations implemented under the Obama administration as one of the things that DeVos has declined to commit to enforce.

“That was put in place to ensure first-generation college students in particular, students going to for-profit institutions, at least [to] have enough information to know when they’re making a choice to go to a particular institution and investing money to pay tuition to graduate from those programs, that they can feel pretty sure that it will give them entry into particular careers,” Holcomb-McCoy said. “By her not listing her support, for an administration that prides itself on being for the common man, this is ‘America first’ and bringing jobs back, that’s really disappointing.”

Dr. Awilda Rodriguez, assistant professor in the Center for the Study of Higher and Postsecondary Education University of Michigan, ripped into DeVos for her refusal to commit to not roll back the Office for Civil Rights or to ensure that the office continues to collect biannual data.

“It is extremely dangerous to have at the helm of the Department of Education Betsy DeVos, who values state and local rights at the cost of civil rights,” Rodriguez said.

“The Department of Education and the Office for Civil Rights has a critical role in ensuring students have equal opportunities to college prep courses, like AP and IB programs,” Rodriguez continued. “Through their data collection and investigations, OCR has uncovered numerous disparities in the ways students are prepared for college.”

Rodriguez said the Education Department and its Office of Civil Rights are “our only line of defense against changes in gubernatorial priorities and whims of state legislatures to ensure equitable access to higher education.”

“We can’t leave the enforcement of civil rights and equitable educational opportunities up to states,” Rodriguez said.

Neal McCluskey, director of the Center for Educational Freedom at Cato, a libertarian thinktank, expressed concerns about DeVos, but for different reasons.

“I fear that the administration will try to steer education funds to vouchers or charters, but I’d take her at her word she won’t do it without Congress acting,” McCluskey said. “And the reason for my fear is the opposite of what most Dems on the HELP Committee expressed — I fear too much government control, not too little.”

Not everyone, however, was convinced that there wasn’t room for optimism for DeVos as secretary of education.

Shaun M. Dougherty, assistant professor of educational policy and leadership at the University of Connecticut Neag School of Education, penned a piece recently that says there is a bipartisan “silver lining in her confirmation — specifically, for those in the career and technical education (CTE) community.”

He was referring to reauthorization of the Carl D. Perkins Career and Technical Education Act, which he said could provide Democrats and Republicans common ground.

“In the current political atmosphere, where there seem to be few clear wins, lawmakers should be taking action with any options available,” Dougherty wrote. “And a reauthorization of the Perkins Act, with a focus on encouraging innovative models and systems of choice in CTE, could provide a hopeful example of bipartisan governance.”

However, Democrats are still hopeful to be able to block DeVos’ confirmation on the Senate floor.

“This fight is definitely not over,” a spokesperson for Rep. Mark Pocan, D-Wisc., said, noting that two Republican Senators on the Senate HELP committee — Susan Collins, R-Maine, and Lisa Murkowski, R-Alaska — voiced concerns about DeVos after the committee voted and indicated they were still undecided when DeVos comes before the full Senate.

The spokesperson said Democrats are hopeful that public scrutiny, pressure and DeVos’ “visible missteps” — such as initially saying that the federal Individuals with Disabilities Education Act was for states to enforce — will lead Republicans to reconsider whether DeVos deserves confirmation.