

## What to Expect under Secretary of Education Betsy DeVos

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February 9, 2017

After an unusually contentious Senate confirmation process, Betsy DeVos was confirmed as U.S. Secretary of Education on February 7, 2017.

DeVos has a record of promoting charter schools and school vouchers at the K-12 level, but little is known about her priorities for higher education. Her prepared comments and responses during her Senate confirmation hearing avoided specifics, promising only to work with lawmakers toward common goals.

Her early priorities with respect to higher education likely will include:

1. Student debt and the cost of college;
2. Regulation of for-profit colleges; and
3. Enforcement of Title IX of the Education Amendments of 1972.

Title IX prohibits discrimination on the basis of sex in any federally funded education program or activity. An entity in violation of Title IX may lose some or all of its Title IX funding.

### Student Debt and the Cost of College

DeVos's opening statement at the Senate confirmation hearing addressed concerns about rising amounts of student debt. "There is no magic wand to make the debt go away, but we do need to take action. It would be a mistake to shift that burden to struggling taxpayers without first addressing why tuition has gotten so high," she said.

The Administration can be expected to propose alternatives to federally funded loan programs. On student debt, President Donald Trump had stated that he would alter the Obama Administration's income-based repayment plan. Trump's proposed plan would be funded by reducing federal spending.

### For-Profit Colleges

The Obama Administration took significant measures to regulate for-profit colleges and the expenditure of federal monies. For example, the gainful-employment rule penalized higher education institutions that left graduates with a level of debt not commensurate with their earning potential.

Senator Elizabeth Warren pressed DeVos on her plans for combating fraud and whether she intended to enforce the gainful-employment rule. DeVos responded, "We will certainly review that rule and see that it is actually achieving what the intentions are."

It is expected the Administration will scale back oversight of for-profit colleges and post secondary education generally.

### Title IX

On her plans for enforcing Title IX, DeVos continued with her noncommittal responses. She said it would be "premature" for her to commit to continuing the Obama Administration's enforcement of Title IX. DeVos stated only, "If confirmed, I look forward to understanding the past actions and the current situation." It remains to be seen the extent to which she will withdraw or modify existing guidance. One aspect of the guidance that has received significant criticism in the past, and may be subject to change, is the designation of "preponderance of the evidence" as the standard of proof.

The [Higher Education](#) group will continue to monitor and report changes in Department of Education policy and guidance.

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