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## ON HIGHER EDUCATION, TRUMP IS HARD TO READ

*President Donald Trump's Thursday-morning tweet threatening to pull funds from Cal-Berkeley signaled a more heavy-handed approach than many thought*

By Melissa Korn  
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The higher-education agenda of the U.S. Education Department under Donald Trump remains largely unknown nearly two weeks into his presidency, fueling doubts among some college leaders and education experts about how much he will prioritize issues like reining in student debt or expanding college access.

Mr. Trump was expected by higher-education insiders to take a more hands-off approach to the industry than his predecessor did. He took a step in that direction this week when he appointed Jerry Falwell Jr., the president of Evangelical Christian Liberty University and an outspoken critic of what he said was heavy-handed oversight by the Education Department, to lead a task force on lightening regulations on college.

However, on Thursday Mr. Trump signaled a more heavy-handed approach than some anticipate when he threatened in a tweet to pull federal funds from the University of California, Berkeley after the school canceled a planned appearance by Breitbart News Network writer Milo Yiannopoulos amid violent protests. The Obama administration helped regulate schools, particularly in the for-profit sector, by turning on or off the spigot of federal student-aid dollars.

Mr. Trump didn't speak much about higher education on the campaign trail or in the weeks before taking office, confounding many policy experts who say it is a crucial part of any broader economic plan.

"You have to go back a long way to find a time when people were quite as uncertain about what to expect," said Terry W. Hartle, senior vice president of government and public affairs at the American Council on Education, a trade group representing college and university presidents.

Betsy DeVos, Mr. Trump's nominee for Secretary of Education, came a step closer to confirmation Tuesday when a Senate committee approved her nomination along party lines. Her appointment will next be voted on by the full Senate; two Republicans have indicated they won't back the appointment, but she is still expected to win approval because any tie would be decided by Vice President Mike Pence.

Broadly, experts are anticipating a less interventionist education policy than the one pursued by the Obama administration, which sought to rate schools based on graduate outcomes, address sexual assault on campuses, forgive loans for defrauded students and crack down on for-profit colleges.

"They never met a regulation they didn't like," Mr. Hartle said of the Education Department under President Barack Obama. ACE has counted at least 24 major regulatory packages the

administration rolled out for higher education in its eight years. "The federal role got substantially bigger and more complex."

An Education Department spokesman said the department had no comment. Other representatives for Mr. Trump didn't respond to requests for comment.

Ms. DeVos said at her confirmation hearing earlier this month, "It won't be Washington, D.C., that unlocks our nation's potential, nor a bigger bureaucracy, tougher mandates or a federal agency."

Mr. Trump's campaign website said he would ensure that universities try to reduce college costs in exchange for tax breaks, and improve opportunities to attend colleges or trade programs. And the Republican Party platform last summer indicated it would reintroduce private-sector companies into the student-loan system, reversing a 2010 action under Mr. Obama that brought loan originations in-house to the federal government.

Ms. DeVos said in written responses to follow-up questions from Sen. Patty Murray (D., Wash.), released Monday, "I think we need to think more innovatively about how we help students finance their postsecondary education."

In perhaps his most detailed discussion of higher education thus far, Mr. Trump in an October campaign stop in Ohio spent just over six minutes criticizing high college costs and declaring his support for free speech on campuses.

He said at that event that students shouldn't be held back by their debt decades after leaving school. He proposed a loan repayment program that would cap payments at 12.5% of a borrower's income, and then forgive debt after 15 years of regular payments.

The current Pay as You Earn program, instituted under Mr. Obama, caps payments at 10% of discretionary income and forgives the remaining debt after 20 years. It isn't clear whether Mr. Trump's proposal would assess payments based on discretionary or gross income.

In his October speech in Ohio, Mr. Trump blamed federal regulations for "tremendous bloat" in college bureaucracies, and said he would find ways of "reducing the unnecessary cost of compliance" with the expectation that schools would then pass along savings to their students.

The plan to cut regulations is incongruous with another proposal by Mr. Trump to force schools to spend more of their endowments on academic expenses to lower student costs, said Beth Akers, a senior fellow at the conservative-leaning Manhattan Institute. "It becomes a large regulatory burden for schools to prove they're using the funds in a way the federal government wishes them to," she said.

The Obama Education Department was particularly aggressive in spelling out schools' responsibilities to combat sexual assault under Title IX of the Education Amendments of 1972, including via what has become known as the 2011 Dear Colleague letter.

Rather than clarify schools' roles, many college officials and lawyers say, the guidance made their responsibilities murkier, including by declaring a different standard for judgment – "preponderance of evidence" – rather than the "beyond a reasonable doubt" threshold used in criminal courts.

When asked during her confirmation hearing whether she would uphold the 2011 guidance, Ms. DeVos said it would be “premature” to commit to backing it.

Meanwhile, the Education Department under the Obama administration had been making publicly available lists of schools currently under investigation for Title IX violations, updated weekly.

Ms. DeVos said in her follow-up answers that schools would continue to be held accountable for violating civil rights laws, but that opening an investigation isn’t the same as confirming the merits of a claim. She said she looked forward to discussing with the department’s Office for Civil Rights “how the release of information addresses its mission.”

Under Mr. Obama, student-loan debt more than doubled to about \$1.3 trillion, due in part to a surge in college enrollments. As debt levels ballooned and defaults soared, the administration shifted focus from college access to institutional accountability – a legacy that some say likely won’t disappear with a new president.

Ms. DeVos said in her written responses that her role as Education Secretary “would not be to determine the quality of a school but rather ensure that they meet all the eligibility standards for participation in Title IV programs as dictated by the Higher Education Act.”